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U.S. COMMISSION ON CIVIL RIGHTS

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BUSINESS MEETING **UNEDITED/UNOFFICIAL**

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FRIDAY, MARCH 16, 2018

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The Commission convened in Suite 1150 at
1331 Pennsylvania Avenue, Northwest, Washington, D.C.
at 9:00 a.m., Catherine E. Lhamon, Chair, presiding.

PRESENT:

CATHERINE E. LHAMON, Chair

PATRICIA TIMMONS-GOODSON, Vice Chair

DEBO P. ADEGBILE, Commissioner

GAIL HERIOT, Commissioner

PETER N. KIRSANOW, Commissioner*

MICHAEL YAKI, Commissioner*

MAURO MORALES, Staff Director

** Present via telephone***NEAL R. GROSS**

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STAFF PRESENT:

PAMELA DUNSTON, Chief, ASCD

KATHERINE CULLITON-GONZALES

LATRICE FOSHEE

ALFREDA GREENE

DAVID MUSSATT

LENORE OSTROWSKY

MICHELE RAMEY

SARALE SEWELL

BRIAN WALCH

MARIK XAVIER-BRIER

COMMISSIONER ASSISTANTS PRESENT:

SHERYL COZART

JASON LAGRIA

CARISSA MULDER

AMY ROYCE

RUKKU SINGLA

ALISON SOMIN

IRENA VIDULOVIC

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P R O C E E D I N G S

10:01 a.m.

CHAIRMAN LHAMON: Good morning. This meeting of the U.S. Commission on Civil Rights comes to order at 10:00 a.m. on March 16, 2018.

The meeting takes place at the Commission's Headquarters located at 1331 Pennsylvania Avenue, Northwest in Washington, D.C.

I'm Chair Catherine Lhamon. And, Commissioners who are present at this meeting, in addition to me, are the Vice Chair, Patricia Timmons-Goodson, Commissioner Heriot, Commissioner Adegbile.

On the phone, if you could confirm you're on the line after I say your name, I believe we have Commissioner Yaki.

COMMISSIONER YAKI: Hi.

CHAIRMAN LHAMON: Thank you.

Commissioner Kirsanow?

(NO RESPONSE)

CHAIR LHAMON: Okay. We do have a quorum present. Is the court reporter present?

COURT REPORTER: Yes.

CHAIR LHAMON: Thank you.

Is the staff director present?

MR. MORALES: Yes.

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I. APPROVAL OF AGENDA

CHAIR LHAMON: Thank you.

The meeting now comes to order.

So, a motion to approve the agenda for this business meeting?

COMMISSIONER ADEGBILE: So moved.

CHAIRMAN LHAMON: Thank you.

Is there a second?

VICE CHAIR TIMMONS-GOODSON: Second.

CHAIR LHAMON: Thank you.

And, looking for amendments, I do have a few to start us off.

First, I'll move to amend consideration for a statement related to the Fiscal Year 2019 Proposed Budget.

Are there any other amendments?

COMMISSIONER YAKI: Commissioner Yaki here.

CHAIRMAN LHAMON: Yes?

COMMISSIONER YAKI: I have two amendments.

One is a potential letter to -- regarding the immigration enforcement actions around courthouses.

The second is a statement regarding the EPA [Environmental Protection Agency] decision on Uniontown, Alabama.

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1 CHAIR LHAMON: Okay, thank you.

2 VICE CHAIR TIMMONS-GOODSON: Madam Chair?

3 Vice Chair Timmons-Goodson.

4 I would move to amend it to include a
5 statement regarding the Commission highlighting the
6 need for the Department of Justice to reopen the
7 Office of Access to Justice.

8 CHAIRMAN LHAMON: Thank you.

9 Are there any other amendments?

10 Okay, I second the motion to amend for the
11 amendments that I didn't offer. Is there a second for
12 mine?

13 VICE CHAIR TIMMONS-GOODSON: Vice Chair
14 Timmons-Goodson, I second.

15 CHAIRMAN LHAMON: Thank you.

16 Let's vote to approve the agenda as
17 amended. All those in favor say aye.

18 (CHORUS OF AYES)

19 CHAIRMAN LHAMON: Any opposed?

20 (NO RESPONSE)

21 CHAIRMAN LHAMON: Any abstentions?

22 (NO RESPONSE)

23 CHAIR LHAMON: Okay, the motion passes
24 unanimously.

25 **II. BUSINESS MEETING**

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1 CHAIR LHAMON: Okay, first, we will hear
2 some presentations from State Advisory Committee
3 members. Our first presentation will be from Rachel
4 Talbot Ross, a member of our main Advisory Committee,
5 on the Committee's recently released Advisory
6 Memorandum on Racial Discrimination in Criminal
7 Prosecution and Sentencing in Maine.

8 Ms. Ross, you have the floor.

9 **PRESENTATION FROM MAINE ADVISORY COMMITTEE MEMBER**
10 **RACHEL TALBOT ROSS ON THE COMMITTEE'S ADVISORY**
11 **MEMORANDUM ON RACIAL DISCRIMINATION IN CRIMINAL**
12 **PROSECUTION AND SENTENCING IN MAINE**

13 CHAIR LHAMON: Ms. Ross, if you are
14 speaking, you're on mute.

15 (NO RESPONSE)

16 CHAIR LHAMON: And, if you're not, I think
17 we'll move on, if Ms. Ross joins us, we can come back
18 to her.

19 We'll instead hear from our Maryland
20 Advisory Committee Chair, Tom Mackall, on the
21 Committee's recently released Advisory Memorandum on
22 Fees and Fines and Bail Reform in Maryland.

23 Chair Mackall?

24 **PRESENTATION FROM MARYLAND ADVISORY COMMITTEE CHAIR,**
25 **TOM MACKALL, ON THE COMMITTEE'S ADVISORY MEMORANDUM**

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ON FEES AND FINES AND BAIL REFORM IN MARYLAND

MR. MACKALL: Hello? Can you hear me?

CHAIRMAN LHAMON: We can, thank you.

MR. MACKALL: Great.

Well, thank you, thank you for having me.

And, thank you all for the work that you do.

I am here today to talk about the Maryland Advisory Committee's Advisory Memorandum specifically addressing Maryland -- whether Maryland or its local jurisdictions use court-imposed financial penalties and money bail in ways that may violate the Constitutional rights of persons assessed or otherwise interfere with the administration of justice.

Before I proceed, I would like to just sort of give you -- before I proceed to address the findings, I would just like very quickly to say that, there were a couple of things that happened that brought this to our attention.

The Dear Colleague letter that came from the Department of Justice, which is referenced in the memorandum, the letter from the Maryland Attorney General regarding money bail, which is also referenced in the memorandum, and an earlier study by the Brennan Center concerning the use of parole supervisory fees in Maryland and its impact as a barrier for re-entry

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1 to society for people subject to those fees.

2 This particular topic was championed by a
3 member of the Committee, Ms. Pamela Bennet. I would
4 like specifically to thank her for her leadership on
5 this effort.

6 And also, would like to particularly call
7 out and thank Barbara Delaviez for her support,
8 guidance and energy that helped the Committee get to
9 the point that it did.

10 I don't want to go through all the
11 findings because I believe that you all have seen
12 that. I would like to simply emphasize the following.

13 Where information does exist, that
14 information raises concerns about the racially and
15 economic disparate impact of Maryland's system of fees
16 and fines and money bail, and its overall impact on
17 the administration of justice.

18 And, when we had the public briefing, and
19 the testimony that we received support concerns, for
20 example, that were raised in the Brennan report
21 several years ago. That's just one example.

22 When we dug into this topic, however, I
23 think the primary concern that we encountered, and
24 probably the basis for the most significant
25 recommendation going forward, is that we do not have

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1 in Maryland today any systematic or verifiable
2 collection of information pertaining to the impact of
3 the system of fines and fees and the money bail
4 practices and the extent to which they result in
5 incarceration, let alone the expense to which they may
6 have a disparate impact on certain groups.

7 There is no uniform reporting system.
8 There is no data regarding bail and pre-trial
9 detentions on the outcomes of trials. There is no
10 real data regarding bail bondsmen's uses of extra
11 judicial remedies for collecting bail.

12 And, there simply is no systematic,
13 verifiable information that is captured today in the
14 State of Maryland that allows us to assess the extent
15 to which these practices may result in incarceration
16 whether disparate or not.

17 That lack of information is -- was for us,
18 really a primary impediment to pursuing this project
19 any further at this time.

20 And, if there is a concrete recommendation
21 that comes out of this particular memorandum, it is
22 most importantly that Maryland should address and
23 begin to collect in a systematic and verifiable way:
24 what is the practice regarding fees and fines around
25 the State of Maryland?

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1 And, what is the extent to which those
2 monetary penalties do result in incarceration?

3 And, to what extent does the money -- do
4 the money bail practices and pre-trial detention that
5 exists today, what extent do they have an impact on
6 judicial outcomes?

7 There have been some change with respect
8 to the Maryland laws regarding money bail where judges
9 are expected to take into account the defendant's
10 ability to pay as they go forward.

11 And, perhaps, as that system is in place,
12 some information will come to light that may bear
13 reexamination of this. But, this lack of information,
14 we think, is a critical issue and needs to be
15 addressed.

16 And, if that information is collected at
17 some point and becomes available to the public, we
18 believe this would be a very fertile topic for the
19 Committee to take up yet again.

20 CHAIR LHAMON: Thanks very much, Chair
21 Mackall.

22 I want to open it up for questions from my
23 fellow Commissioners.

24 Vice Chair?

25 VICE CHAIR TIMMONS-GOODSON: Yes, thank

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1 you so very much for this memorandum. And, I
2 understand very clearly that your effort to look into
3 this matter was impeded by the lack of information.

4 My inquiry is whether the fact that you
5 have put this out, is there any indication that you
6 have had a positive effect in that there is proposed
7 legislation?

8 Or, perhaps I should say, is there any
9 proposed legislation out there in any state or
10 condition that would take care of the concern that you
11 have?

12 MR. MACKALL: Thank you for the question.

13 The short answer is, not that I'm aware of
14 at this point. So, I cannot answer that definitively.

15 What I can say to you is that one of our
16 witnesses did say that he believed that the judiciary
17 could pull that information together and would pull
18 that information together if directed to do so.

19 But, what is clear is, even if they did
20 so, it would not be done in a verifiable and auditable
21 fashion. So, while I can't say that there's any
22 legislation out there at this point, certainly, that
23 would be an outcome that we would welcome following
24 from this project.

25 VICE CHAIR TIMMONS-GOODSON: Thank you.

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1 CHAIR LHAMON: Chair Mackall, this is
2 Catherine Lhamon. I need to say to you as a fellow
3 Marylander, thank you for your service and also for
4 taking up a topic that's obviously very important to
5 the state and to the country and also important to
6 this Commission as a topic that we issued a report on
7 last September.

8 I want to follow up on the Vice Chair's
9 question to you. I understand that you're not aware
10 of pending progress now to address the data collection
11 issue that was such an impediment to your analysis,
12 and obviously, as an impediment for the state.

13 I wonder what steps the State Advisory
14 Committee itself is taking to try to see change in
15 this area? It's obviously an area that has been ripe
16 for change in the state, given the state's recent
17 progress during the pendency of your investigation.

18 So, I'm interested in the steps that you,
19 together as a Committee, plan to take or are taking
20 related to correcting this issue?

21 MR. MACKALL: We have not defined at this
22 point any specific steps. I think we were -- we do
23 have a meeting scheduled later in the month of April.

24 And, perhaps, that's a topic that we will address as
25 part of that meeting as to whether there may be any

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1 appropriate or viable steps that the Committee would
2 take.

3 So, I will take your question actually as
4 a suggestion of a way that we might move forward a
5 little further on this topic.

6 CHAIR LHAMON: Terrific.

7 VICE CHAIR TIMMONS-GOODSON: This is Vice
8 Chair Timmons-Goodson.

9 As another possible way that you could
10 proceed, given that you have identified that perhaps
11 the judges have access to that information, and while
12 it might not -- their collection of that information
13 might not meet statistical, rules and all of that,
14 might that be a place that you could begin and perhaps
15 going to the judicial council, the state's judicial
16 council or something, asking them to voluntarily take
17 on such a responsibility.

18 Now, I can't -- I can almost promise you
19 that that will not be something that they'll
20 voluntarily take up, but it does get -- it continues
21 the discussion of the issue.

22 And, many of us are calling upon our
23 judges to do more in this area. But, just a
24 suggestion.

25 MR. MACKALL: Yes, well, and thank you for

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1 the suggestion. I will tell you that I will be very
2 frank with you that within the Committee, we had a
3 number of discussions of steps that would -- that we
4 could take next.

5 And, quite honestly, one challenge that we
6 have is how to most efficiently allocate our time for
7 what we believe would be the return on that time that
8 we invest.

9 I've just received two fine suggestions
10 from the Commission, and I appreciate it. And, these
11 will be topics that we will put into the discussion as
12 we go forward.

13 CHAIR LHAMON: Thanks very much.

14 Are there any other questions from the
15 Commission?

16 (NO RESPONSE)

17 CHAIR LHAMON: With that, Chair Mackall,
18 we really appreciate your presentation.

19 I want to note, I believe that
20 Commissioner Kirsanow has joined us. Could you
21 confirm, Commissioner Kirsanow, that you're on the
22 phone?

23 COMMISSIONER KIRSANOW: I am, thank you.

24 CHAIR LHAMON: Terrific, welcome.

25 And, I also understand that our Maine

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1 Advisory Committee member, Rachel Talbot Ross has
2 called in. Ms. Ross, are you on the phone?

3 MS. ROSS: I am, thank you.

4 CHAIR LHAMON: Terrific, thank you.

5 We would welcome hearing your presentation
6 on your Advisory Memorandum on Racial Discrimination
7 and Criminal Prosecution Sentencing in Maine.

8 **PRESENTATION FROM MAINE ADVISORY COMMITTEE MEMBER**

9 **RACHEL TALBOT ROSS ON THE COMMITTEE'S ADVISORY**

10 **MEMORANDUM ON RACIAL DISCRIMINATION IN CRIMINAL**

11 **PROSECUTION AND SENTENCING IN MAINE**

12 MS. ROSS: Well, I want to start by
13 thanking you for this opportunity to present what we
14 believe was a very critical investigation that, while
15 we had the hearing back in 2014, what's really
16 important to understand is the work that's taken place
17 as a result of the investigation and with your
18 support.

19 We've been able to move forward some of
20 the recommendations. So, I want to first start by
21 saying thank you for this opportunity.

22 I also have to just mention briefly that
23 I, at the time that the investigation and our hearing
24 was held, I was the Chair of the State Advisory
25 Committee. I am no longer the Chair, but am now

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1 serving in the Maine state legislature and have been
2 able to help move forward some of the recommendations
3 from this group and serve on the Criminal Justice
4 Committee for the House -- in the House of
5 Representatives.

6 So, I'm really fortunate to be able to
7 stay very close to the work and remain a member of the
8 State Advisory Committee.

9 We, just briefly, the impetus for this
10 work came from actually the local NAACP that had been
11 working in the state. We have three branches in the
12 state, one in the greater Bangor area, one in the
13 Portland area and then, we uniquely have a branch of
14 the NAACP in our maximum security prison, which is the
15 Maine State Prison in Warren, Maine, which has been in
16 place for well over 20 years.

17 So, the impetus for this work came from
18 the NAACP. And, the NAACP, through the branch in the
19 prison, was working on correctional policy and reform
20 for years and started to see a theme coming out of
21 some of the work, which was, these stories about
22 convictions and what appeared to be disparate
23 sentencing where the only common denominators seemed
24 to be race, the race of the defendants which were all
25 men of color predominantly and then the race of the

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1 jury which were all white.

2 And so, it seeing and hearing the stories
3 of these disparate sentencing where race was the only
4 common denominator, it led to a series of meetings
5 with the judicial branch, the Department of
6 Corrections and law enforcement in which the ACLU and
7 the Maine Prisoner Advisory Commission joined us.

8 We held a series of meetings in order to
9 find out if we could do a pilot project that would
10 really help analyze what was going on with these
11 disparities.

12 The result of those meetings were that we
13 got connected to Cynthia Jones, who was one of the
14 panel members who gave us the background in the
15 national context of a professor from the Washington
16 College of Law.

17 We started meeting with her and really
18 zeroed in on trying to examine the prosecutorial
19 decision making.

20 And, knowing that nationally, this was the
21 place in which the system would show the greatest
22 disparity.

23 Those meetings actually kind of -- the
24 pilot project never went on. And so, the Maine State
25 Advisory Commission picked up that work and held these

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1 hearings.

2 As you can see, we had a quite good
3 diverse group of folks who joined us. One thing to
4 note of particular importance is that this hearing
5 included both formerly incarcerated folks, but we had
6 the Board of a currently incarcerated person who
7 joined us for this hearing and truly made it one of
8 the most unique hearings that we've ever had, is to
9 hear from people who were most -- or most impacted by
10 the situation.

11 So, Brandon Brown, who's still serving
12 time in Maine State Prison, he was the president of
13 that branch and also Michael Parker, who was the
14 founding President of that branch. So, that made the
15 hearing quite unique.

16 I'll just jump to the actions --

17 CHAIRMAN LHAMON: Ms. Ross, the time for
18 the presentation is over, but I appreciate the
19 presentation.

20 And, I'm going to move us --

21 MS. ROSS: Okay.

22 CHAIRMAN LHAMON: -- questions from my
23 fellow Commissioners on the Advisory Memorandum.

24 VICE CHAIR TIMMONS-GOODSON: Again, we
25 thank you for all of your work. But, you indicated

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1 that, early on, that you had been able to make some
2 progress with regard to the recommendations or on this
3 issue.

4 I'd be interested in hearing more about
5 that.

6 MS. ROSS: Thank you for the question,
7 I'll make it -- try to make it brief.

8 Two really substantial pieces have come
9 forward as a result of this.

10 One is that we were able to close one of
11 our juvenile detention centers here in Maine and we're
12 on the verge of looking to close the last juvenile
13 detention center here in Maine, understanding that
14 these are not the places for our youth, particularly
15 with such disparities for youth of color.

16 The ACLU, members of the Maine staff and
17 other community action groups have really come
18 together to address juvenile justice issues in the
19 state. So, we're looking to close the last remaining
20 juvenile detention center in the state.

21 The second thing that we've done is we are
22 trying to re-engage the judiciary, corrections and law
23 enforcement in order to get data, comprehensive data,
24 so that we can hold briefings with legislators.

25 It looks like we are going to be able to

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1 re-engage those folks.

2 The Supreme Court Justice for the -- has
3 indicated a willingness to try to launch that pilot
4 program, so we're really excited about that.

5 And, we have identified the Maine Muskie
6 School of Public Service will do the analysis on that
7 data.

8 The third piece is that we were able to
9 introduce two bills in this legislative session that
10 were written by currently incarcerated men, to address
11 the issue of parole, not having parole in the State of
12 Maine.

13 We introduce a bill called Earned Time
14 which would, upon completion of a rehabilitation
15 program, it would give inmates addition time.

16 And, we also introduced a bill on
17 rehabilitation that would put in statute the pathway
18 to rehabilitation so that we could address
19 reintegration and re-entry.

20 So, we've introduced legislation. We
21 helped closed down a juvenile detention center and
22 we've re-engaged the judiciary, corrections and law
23 enforcement on data collection.

24 VICE CHAIR TIMMONS-GOODSON: Thank you.

25 CHAIRMAN LHAMON: Ms. Ross, the second to

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1 the last bill that you mentioned that would address
2 reintegration and re-entry has particularly peaked my
3 interest because of pending investigation at the
4 Commission about the collateral consequences of
5 incarceration.

6 And, I would welcome information about the
7 status of that bill after this legislative session, if
8 you are able and willing to share with us.

9 MS. ROSS: Absolutely. I've got to say
10 that we're so proud, and I don't know where else this
11 has happened, but we're really, really proud that in
12 this legislative session, we were able to introduce a
13 total of four bills that were written by currently
14 incarcerated men at the Maine State Prison.

15 And, the rehabilitation one, it's based on
16 a proposal that was written by currently incarcerated
17 men that we translated into a bill. That bill is now
18 working its way through the Maine State legislature.

19 And, I'd be more than pleased to keep you
20 updated on the status of that.

21 CHAIR LHAMON: Thank you.

22 Any other questions from fellow
23 Commissioners?

24 (NO RESPONSE)

25 CHAIR LHAMON: Commissioners on the phone?

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1 (NO RESPONSE)

2 CHAIR LHAMON: Thanks so much, Ms. Ross.
3 We really appreciate your presentation and your work
4 on the Committee.

5 MS. ROSS: Thank you, I appreciate the
6 opportunity.

7 **PRESENTATION FROM ILLINOIS ADVISORY COMMITTEE CHAIR,**
8 **JUAN CARLOS LINARES, ON THE COMMITTEE'S REPORT CIVIL**
9 **RIGHTS AND VOTING IN ILLINOIS**

10 CHAIR LHAMON: We'll now hear from our
11 Illinois Advisory Committee Chair, Juan Carlos
12 Linares, on the Committee's report on civil rights and
13 voting in Illinois.

14 MR. LINARES: Good morning, can you hear
15 me?

16 CHAIR LHAMON: We can, good morning.

17 MR. LINARES: Great, good morning. Thank
18 you so much for the opportunity. The Illinois
19 Advisory Committee also thanks you for this
20 opportunity to present.

21 And, special thanks also to David Mussatt
22 and Melissa Wojnaroski of our Chicago Office, who were
23 instrumental in facilitating this work for us over the
24 past couple of years.

25 I'm going to summarize then the impetus of

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1 why we went ahead and worked on the issue of civil
2 rights as they pertain to voters in Illinois.

3 And then, I'll go over some of the
4 findings for some of the sections that we pulled for
5 the report and then some recommendations.

6 So, the impetus of our work with regards
7 to voting and civil rights really stemmed from the
8 2016 general election, the presidential election where
9 there was a lot of discussion, not just in the media,
10 but directly from the White House, really, about
11 discuss whether we go ahead and research if there was
12 voter fraud, voters who were non-citizens who were
13 going to booths and voting.

14 And, we really found this as a compelling
15 issue in Illinois.

16 So, to jump to one of the findings, we
17 first, if you have the report, there's a section on
18 voting rights in Illinois and we talked the specific
19 law as it pertains to the local jurisdictions in
20 Illinois.

21 And, just to jump to one of the findings
22 which addressed directly the impetus for our work,
23 from 2000 to 2014, there was found no fraud in voting
24 or voting from any illegal voting from non-citizens.

25 In fact, from some of the panelists, we

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1 heard, there's a broad awareness of non-citizens who
2 are hoping to become citizens, that voting is a
3 deportable offense. So, we saw no fraud coming from
4 the panelists.

5 At this point, let me pause to say that,
6 given the partisan nature that voting rights and civil
7 rights can take, we were very intentional about
8 selecting a panel that would provide a balanced
9 overview of these civil rights issues as they pertain
10 to voting, and I'm confident in saying that we
11 achieved that diversity and bipartisan nature of the
12 panelists that we had.

13 We heard from folks in nonprofit service
14 agencies. We heard from people in policy think tanks.

15 We heard from government officials and from folks who
16 are general residents and voters, including those who
17 were formerly incarcerated.

18 So, to jump to a few more sections, then,
19 we looked at a few content specific issues with
20 regards to voting rights, one of which was voting
21 access among jailed inmates or to the formerly
22 incarcerated.

23 Now, this is specific -- this is -- was
24 very important in Illinois, in that 56 percent of the
25 incarcerated individuals in Illinois are African-

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1 American, even though only 15 percent of the general
2 population is.

3 So, there is this potential just on the
4 face of it to look at issues of disparate impact.
5 But, what we found was very compelling.

6 Illinois is one of 14 states that allows
7 for voting automatically once the incarcerated have
8 come out of being incarcerated. So, that's 14 states
9 including the District of Columbia.

10 All that said, we heard testimony,
11 including from those who were formerly incarcerated,
12 that mentioned that there is not a lot of awareness
13 among prison jail officials for those who are not
14 currently facing felony sentences, but those who are
15 merely jailed before their trials.

16 Those folks, too, have the right to vote,
17 but there's just not an awareness amongst jail
18 official, whether or how to operate these voting
19 rights.

20 I do want to say, since our panels
21 occurred, the Cook County Sheriff, and Cook County is
22 where Chicago sits, the Cook County Sheriff went ahead
23 and does a mass voting exercise for early voting
24 purposes with the jailed inmates for those who want to
25 participate.

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1 There's also a lack of awareness with
2 regards to distributing absentee ballots in the jails
3 themselves.

4 One very compelling thing that we found
5 was with regards to what we call prison
6 gerrymandering.

7 So, in one specific instance, there's a
8 city called Pinckneyville in southern Illinois, where
9 in that jurisdiction, there are more people
10 incarcerated in that county than there are people
11 actually living in the county that are not
12 incarcerated.

13 So, the issue there is with regards to
14 representative power is that we are counting folks who
15 are prisoners as residents of that county even though
16 they are not allowed to vote because they're serving
17 felony sentences.

18 CHAIR LHAMON: Mr. Linares, can you --

19 MR. LINARES: So, that was one very
20 compelling --

21 CHAIR LHAMON: Mr. Linares, just to -- I'm
22 sorry for interrupting, but just to pause for a
23 moment.

24 For folks who are on the line, if you are
25 not speaking, could you mute your lines? We're

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1 hearing a little bit of feedback.

2 Thank you.

3 Go ahead, Mr. Linares.

4 MR. LINARES: I appreciate that, I heard
5 that, too.

6 So, just to jump to a few more sections
7 then to summarize and wrap up, we also looked at
8 voting access for limited-English proficient voters.
9 There, specifically, there are some federal laws in
10 place including Sections 203 and 208 which you'll find
11 in the report.

12 The issues there are with regards to
13 Section 203 how we count individuals who need language
14 access on the ballots themselves. Specifically, in
15 the city of Chicago, which is one of those
16 jurisdictions which triggers the language access, we
17 have ballots in Spanish, in Chinese Mandarin and in
18 Hindi.

19 But, there are outlying counties where
20 that number trigger, either 10,000 individuals within
21 that jurisdiction or five percent of that jurisdiction
22 needing the language access, this will be an issue in
23 the next Census on how we count individuals.

24 And then, for Section 208, this gets into
25 the last section. So, it's a mixture of language

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1 access issue where Section 208 mandates that folks
2 that need assistance at the ballots themselves, can
3 bring in someone to translate for them, someone who is
4 not either their employer or a union steward.

5 But, the issue there goes with election
6 judges. Election judges are often not trained enough
7 to know what the rules are with regards to either
8 bringing folks into translate for them or a variety of
9 other issues.

10 This jumps to sections of the report on
11 access for individuals with disabilities or the
12 homeless who don't always have that permanent address
13 but are doubled up and staying with someone else do
14 have that address and may have to have different forms
15 of identification, but the election judges aren't
16 always aware.

17 So, jumping to some of the recommendations
18 then that we found is, in order to ensure that the
19 civil rights of voters are being met, the training of
20 election judges is critical in facilitating the
21 process of voting itself.

22 There's also issues that we found from
23 some of our government officials that, when training
24 election judges, there's not always enough money to do
25 so and there's not always enough money to pay judges

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1 so that we're getting the highest quality of folks
2 that are willing to stay a 14-hour day to facilitate
3 the ballot.

4 So, jumping to in other recommendations
5 then, we did have a brief discussion on campaign
6 finance. And, this is where I'll conclude with
7 regards to the content piece, is we had some panel
8 testimony with regards to those that donate under the
9 Citizens United case where folks are -- candidates are
10 free to receive amounts of money that aren't
11 restricted under the Citizens United ruling.

12 So, but, what we found, particularly in
13 the Chicago mayoral election, that 94 percent of the
14 current mayor's funders were white individuals. And,
15 many of those male as well. And, many of those upper
16 income.

17 So, what we're finding then is a potential
18 for policy to be drawn so that they're serving those
19 donors and not necessarily the general public. This
20 is something to be analyzed further, we think, under
21 the Citizens United case and the results therein.

22 So, conclude then, again, we thank you for
23 the time. There are in Illinois a variety of content
24 issues related to civil rights with regards to voting,
25 particularly disparate impact amongst African-

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1 Americans and those who are incarcerated.

2 Also, access to the ballot with regards to
3 language, disability or housing status.

4 And, at the end of the day, campaign
5 finance being one of those that can perhaps see a
6 disparate impact on how policies are written.

7 CHAIR LHAMON: Mr. Linares, thank you very
8 much for your presentation and please thank your
9 fellow Committee members for the thorough and very
10 comprehensive report on voting in Illinois. I really
11 appreciate it.

12 I want to open the floor for conversation
13 from my fellow Commissioners.

14 Commissioner Adegbile?

15 COMMISSIONER ADEGBILE: Yes, hello.

16 I was wondering if you could give us a
17 little bit more of a flavor of how the implementation
18 of election-day registration has been going in
19 Illinois?

20 MR. LINARES: Thank you for asking that
21 question. So, what we found, when the panels were
22 being conducted, was the issue of automatic voter
23 registration was currently in our legislature and it
24 had not been passed.

25 But, since we've had our panel testimony

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1 and since we've had drafts of the report going back
2 and forth, the Illinois governor did sign automatic
3 voter registration into law on August 28, 2017.

4 And, what that says is, anytime you go to
5 renew your driver's license, you will be automatically
6 be registered to vote if you're also a citizen of the
7 United States.

8 We also have some law that says that
9 you're automatically registered, but if you're a small
10 county, you can opt out. So, this leads to maybe some
11 disparate impact with regards to the smaller counties
12 where their election commissioners can opt out of this
13 law.

14 Now, twenty of 120 counties guarantee this
15 by virtue of the size of their populations. But, we
16 heard testimony from folks that, in the southern part
17 of Illinois, it's not a guarantee to have that
18 automatic voter registration.

19 So, this could bring up some issues with
20 regards to the fairness of and impacts with regards to
21 who gets to automatically register on election day.

22 COMMISSIONER ADEGBILE: And, I take it
23 that exclusion has something to do with the
24 administrability of election-day registration in
25 smaller counties?

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1 MR. LINARES: Yes, that's what we found.
2 And so, some of the counties can't fully staff their
3 precincts or election jurisdiction with the numbers of
4 people to be able to administer this. The larger
5 counties more clearly can.

6 But, the -- one of the issues becomes the
7 funding of this mandate is if we -- if the state is
8 able to fund this, then there probably shouldn't be
9 this disparity.

10 But, these are all testimonies that we've
11 heard, the facts remain that 20 of 120 counties do
12 allow for election-day registration and the rest can
13 opt out.

14 CHAIR LHAMON: Thank you.

15 Mr. Linares, this is Catherine Lhamon. I
16 found very compelling the window into the experiences
17 of voters and potential voters in your state that you
18 included in the report, including, for example, the
19 discussion about voter intimidation in Cook County
20 that you had included at page twenty.

21 So, thank you very much for making visible
22 to folks who are outside Illinois experiences of
23 people in Illinois.

24 I also was struck in the report about one
25 of the issues that the report raises with respect to

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1 voting rights of formerly incarcerated individuals,
2 that even though Illinois automatically restores the
3 voting rights, many individuals in this position are
4 not aware of the restoration, and that's an issue that
5 I heard about when I visited the Alabama State
6 Advisory Committee's briefing, also on voting rights.

7 And, interested in whether your Committee
8 considered a recommendation on this issue and how the
9 current state of this information might be improved?

10 MR. LINARES: Yes, and thank you for your
11 question. And, actually both parts of your comments
12 are very much related into a culture of training, not
13 just election judges, but all policy officials into
14 the voting rights in Illinois as they stand.

15 So, as you mentioned, voter intimidation,
16 there was one scenario in Cicero, Illinois, which is a
17 near west suburb of Chicago, where police officers
18 were present at the polls and were demanding that
19 voters bring their permits, quote, unquote, permits
20 which are not really -- it's not a real thing, it's
21 not necessary to have a permit to vote.

22 So, that's one of the instances of voter
23 intimidation.

24 But, again, it goes towards teaching not
25 just the election judges as to what the rules are, but

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1 police officers, all government personnel and anyone
2 related to the voting system outright.

3 We did hear from one individual who had
4 been incarcerated that he was told outright by the
5 local county jail official, that he could not vote.
6 And so, and that was -- he thought not necessarily a
7 malicious statement so much as it was the jail -- the
8 officer just wasn't really informed as to what the
9 rules are and was just guessing and trying to keep
10 people quiet during that time period.

11 So, to your question, one of the
12 recommendations that we want to informally put forward
13 is the better training of both, not just the election
14 officials, but of all folks who work in government and
15 who work on policy.

16 CHAIR LHAMON: Thank you.

17 Commissioner Adegbile?

18 COMMISSIONER ADEGBILE: Hi, I have one
19 more question with respect to the automatic voter
20 registration effort in Illinois.

21 Is it the case that that effort is focused
22 only on DMVs as opposed to other agencies?

23 MR. LINARES: So, thank you for your
24 question. To answer your question, to my knowledge,
25 it is focused on the DMVs at the current moment.

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1 But, I am aware of discussions of either
2 broadening that effort or further clarifying that.

3 But, to the extent that we heard
4 testimony, it is currently, yes, focused on the DMV.

5 COMMISSIONER ADEGBILE: Because I take it
6 one consideration there is whether that approach
7 itself may have some disparate impact to the extent
8 that there may be disparities in people who hold
9 driver's licenses. And so, that may be something
10 worth further inquiry.

11 MR. LINARES: And, thank you for your
12 comment, because one of the findings in the report is
13 that individuals who earn less than \$35,000 a year,
14 which are more likely to be seniors, those with
15 disabilities, or people of color are less likely to
16 have either a driver's license of a state issued ID.
17 So, thank you for your comment, because that is
18 reflected in the report as well.

19 COMMISSIONER ADEGBILE: Thank you.

20 CHAIR LHAMON: Any other questions from
21 Commissioners including Commissioners on the phone?

22 COMMISSIONER KIRSANOW: Madam Chair,
23 Kirsanow here.

24 CHAIR LHAMON: Commissioner Kirsanow?

25 COMMISSIONER KIRSANOW: Thank you.

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1 Thanks very much for your presentation, it
2 was very informative. You stated at the outset - I
3 think I may have misheard or didn't hear the entire
4 presentation- but I think you said that you didn't
5 find any evidence of voter fraud in Illinois?

6 MR. LINARES: That is correct, that's per
7 the findings of our panel discussion, yes.

8 COMMISSIONER KIRSANOW: And, how did you
9 make that determination?

10 MR. LINARES: So, we had several
11 individuals, and we have the transcripts available,
12 too, I think publically available, so I can't quote
13 exactly who it was, but we had government officials
14 including those with Cook County Clerk's Office which
15 administers voting and those with the Chicago Board of
16 Elections.

17 And, I believe it was one of those
18 individuals that looked at the study on enforcement
19 and showed us that there was no finding of fraud in
20 Illinois from the years 2000 to 2014 or any evidence
21 of non-citizen voting during that time either.

22 COMMISSIONER KIRSANOW: Oh, well, thank
23 you.

24 It may, in the future, if you look at this
25 again, be a good idea to look at some media reports

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1 from CBS and Chicago Tribune that cite a number of
2 individuals who've been convicted of voter fraud,
3 including Mahmoud Vakili, an Iranian citizen who was
4 convicted and sentenced to prison for voting while he
5 was not eligible to vote; Steveland Kidd, who CBS says
6 was sentenced for voting fraudulently pursuant to
7 absentee ballot; Brian McDouglar three years in prison
8 for falsified absentee ballot; Audrey Cook, Augustus
9 Stacker, Pamela Boyd, Monica LaPlant.

10 Sometimes the media has information that
11 maybe Cook County doesn't.

12 MR. LINARES: And, I appreciate that
13 information and research. We will look into that.
14 And, again, we were relying on the government
15 officials that testified us. So, thank you for that
16 information.

17 COMMISSIONER KIRSANOW: Thank you.

18 CHAIR LHAMON: Any other questions?

19 (NO RESPONSE)

20 CHAIR LHAMON: What that, Mr. Linares,
21 thank you very much for your presentation and thank
22 you to each of the State Advisory Committee members
23 who took the time to present to us and for the work
24 that you've taken for your State Advisory Committees.

25 It's always a pleasure for us to be able to hear from

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1 you and, as is reflected in the reports from today,
2 it's a pleasure to see the wide variety of issues that
3 the State Advisory Committees are taking up.

4 Thanks very much.

5 MR. LINARES: Thank you very much, thank
6 you.

7 **DISCUSSION AND VOTE ON TIMELINE, DISCOVERY PLAN AND**
8 **OUTLINE FOR COMMISSION PROJECT, "IN THE NAME OF**
9 **HATE: EXAMINING THE FEDERAL GOVERNMENT'S ROLE IN**
10 **PREVENTING HATE CRIMES":**

11 CHAIR LHAMON: The next item on our agenda
12 is discussion and vote on the time line discovery plan
13 and outline for our upcoming project for our May
14 briefing titled, "In the Name of Hate: Examining the
15 Federal Government's Role in Preventing Hate Crimes."

16 Is there a motion so we can open the floor
17 for discussion?

18 COMMISSIONER ADEGBILE: I so move.

19 CHAIR LHAMON: Is there a second?

20 VICE CHAIR TIMMONS-GOODSON: Second.

21 CHAIRMAN LHAMON: Terrific, we'll not have
22 a discussion on the motion.

23 I'll start by offering my thanks to our
24 staff for their research and hard work in putting
25 together the materials and working with all the

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1 Commissioners and Commissioner Special Assistance to
2 get to these final documents.

3 Are there any other points for discussion
4 before we vote?

5 COMMISSIONER HERIOT: Madam Chairman?

6 CHAIR LHAMON: Commissioner Heriot?

7 COMMISSIONER HERIOT: I know that both
8 Commissioner Kirsanow and I have made the point that
9 this is too ambitious, that we've never been able to
10 pull off quite so much work in one of our reports.

11 And, we have recommended that the part
12 that's addressed to the Department of Education, which
13 is not a crime oriented area at all, would be best to
14 lead it.

15 Not action seems to have been taken on
16 that, so I've assumed that the majority of the
17 Commission is of the other view.

18 But, I did want to point out that I
19 predict that this is not going to be something that
20 our staff can handle and that we would be much better
21 off if, at the very least, we cut back on the part
22 that is related to bias incidents rather than hate
23 crimes since that's going to open a whole new can of
24 worms with First Amendment issues, with all sorts of
25 stuff.

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1 So, I would, again, strongly urge that we
2 get rid of that part.

3 CHAIR LHAMON: Thank you.

4 The materials reflect the proposal that we
5 voted on as a Commission that included the Department
6 of Education. But, I appreciate your sustained view
7 on the topic, too.

8 Any other discussion?

9 (NO RESPONSE)

10 CHAIR LHAMON: Okay. I'll call the
11 question, we can take a roll call vote.

12 Commissioner Adegbile, how do you vote?

13 COMMISSIONER ADEGBILE: Aye.

14 CHAIR LHAMON: Commissioner Heriot?

15 COMMISSIONER HERIOT: I vote no.

16 CHAIR LHAMON: Commissioner Kirsanow?

17 COMMISSIONER KIRSANOW: No.

18 CHAIR LHAMON: Commissioner Yaki?

19 COMMISSIONER YAKI: Aye.

20 CHAIR LHAMON: Vice Chair Timmons-Goodson?

21 VICE CHAIR TIMMONS-GOODSON: Yes.

22 CHAIR LHAMON: And, I vote yes.

23 The motion passes, two Commissioners
24 opposed, no Commissioner abstained and all others were
25 in favor.

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AMENDED BUSINESS ITEMS**DISCUSSION ON "THE U.S. COMMISSION ON CIVIL RIGHTS
HIGHLIGHTS THE NEED FOR THE DEPARTMENT OF JUSTICE TO
REOPEN THE OFFICE FOR ACCESS TO JUSTICE"**

CHAIR LHAMON: We'll now consider our amended business items beginning with the statement on the Department of Justice access to Justice Office.

I'll turn it over to the Vice Chair to read the statement and, as is our custom, I take it you omit the footnotes as you read so that we can move forward expeditiously.

COMMISSIONER HERIOT: Yes, please.

VICE CHAIR TIMMONS-GOODSON: I will omit the footnotes.

The statement is entitled, "The U.S. Commission on Civil Rights Highlights the Need for the Department of Justice to Reopen the Office for Access to Justice."

"The U.S. Commission on Civil Rights calls on Attorney General Jeff Sessions to ensure the Department of Justice's Office for Access to Justice is fully operational and able to perform its functions.

The Office Safeguards Access to Justice on behalf of people who cannot afford lawyers so that the

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1 justice system delivers outcomes that are fair and
2 accessible to all, regardless of income.

3 The Commission is concerned about reports
4 that the Attorney General has functionally closed the
5 office by reducing its staff and shifting its
6 resources elsewhere within the Department.

7 We call on Attorney General Sessions to
8 immediately reconstitute the office with dedicated
9 staff and to rescind any efforts otherwise.

10 Since its inception in 2010, the office
11 has worked within the Department across federal
12 agencies and with various stakeholders in an effort to
13 focus the country's attention on the right to counsel.

14 To that end, the office has engaged in
15 filing a series of statements of interest and amicus
16 briefs related to Access to Justice issues, launched
17 an interagency collaboration and served as the U.S.
18 government's central authority on access to justice.

19 The work of the office was also critical
20 in informing the Commission's findings and
21 recommendations follow our investigation into
22 excessive fines and fees that target low income people
23 of color.

24 In the area of fines and fees, the office,
25 multiple times, convened policy makers, judges,

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1 prosecutors, defense attorneys and advocates to
2 discuss how certain practices with respect to the
3 imposition and enforcement of fines and fees can
4 result in unlawful and harmful conduct.

5 In addition, the office, along with the
6 Department's Civil Rights Division, issued Dear
7 Colleague Letters to state administrators and chief
8 justices in each state to provide greater clarity to
9 state and local courts regarding their legal
10 obligations.

11 The Commission majority recognized that
12 our report on fines and fees that these convenings and
13 guidance letters influenced local and statewide
14 reformed practice, increasing access to justice
15 consistent with constitutional commands.

16 The Commission is concerned that the work
17 of the office in convening stakeholders, issuing
18 guidance, litigating noncompliance and serving as a
19 central authority will end without dedicated staff.
20 Ceasing that work risks ending, in practical terms,
21 the mission of the Department of Justice itself for
22 many millions of low income Americans.

23 Access to Justice is core to effective
24 democracy and also a core component Congress has
25 charged the Commission with safeguarding.

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1 Thus, the Commission urges Attorney
2 General Sessions to immediately shift resources back
3 to the office and to rededicate the staff to the
4 important mission of Access to Justice.

5 Chair Catherine E. Lhamon stated, and I
6 quote, the Department of Justice disservices all
7 Americans by turning its back on Access to Justice for
8 those with the lowest income among us. We strongly
9 urge renewed immediate fidelity to the core justice
10 mission."

11 CHAIR LHAMON: Thank you, Madam Vice
12 Chair.

13 Is there a motion so we can open the floor
14 for discussion? I'll move.

15 Is there a second?

16 COMMISSIONER ADEGBILE: Second.

17 CHAIR LHAMON: Thank you.

18 Is there any discussion on this statement?

19 Commissioner Heriot?

20 COMMISSIONER HERIOT: This statement seems
21 to me to be premature. If we're actually interested
22 in whether the Department of Justice is, in fact,
23 doing what we -- what the statement seems to assume
24 that it's doing, the best way to do that is through a
25 letter, not by a press release of this sort.

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1 And so, I would urge that this be recast
2 as a letter to the Department of Justice. If the
3 response that you get is not to your liking, you can
4 always do a press release.

5 But, it's a little hard to see this
6 document as sincere given that it's not being phrased
7 as a question. It may well be that the Attorney
8 General is shifting even more resources to this topic
9 just within the Civil Rights Division.

10 I note the Civil Rights Division is
11 getting a modest increase in its budget this year,
12 even though the tasks that are assigned to the Civil
13 Rights Division are less now than what they were a few
14 years ago because of the *Shelby County* decision by the
15 Supreme Court.

16 So, I would urge that this be done as a
17 letter that's a true inquiry and not a press release
18 that's designed to cause the reader to assume what
19 facts that aren't yet in evidence.

20 VICE CHAIR TIMMONS-GOODSON: I thank you
21 for that, Commissioner Heriot. And, I, too, gave that
22 some thought, but I'm of the opinion that time is of
23 the essence.

24 While we -- what we're hoping to do is to
25 have some effect on the decision itself and by --

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1 COMMISSIONER HERIOT: But, we don't know
2 what that decision was.

3 VICE CHAIR TIMMONS-GOODSON: And, I'm
4 concerned that if we wait and it's done, then we've
5 lost whatever we could have done to have some say or
6 word out on the decision.

7 CHAIR LHAMON: My understanding, in
8 addition, is that we have engaged in substantial
9 efforts to find out the specific actions and that the
10 Department of Justice has not been forthcoming in its
11 words.

12 COMMISSIONER HERIOT: But, not a letter.

13 CHAIR LHAMON: And, it is my view that it
14 is important for the Commission to fulfill its role to
15 Congress, to the President, to the American people in
16 addressing core civil rights issues as they come up in
17 a timely manner, in a way to try to influence their
18 operation.

19 So, I support issuing the statement now.

20 Any further discussion?

21 (NO RESPONSE)

22 CHAIR LHAMON: Okay, I'll call the
23 question and take a roll call vote.

24 Commissioner Adegbile, how do you vote?

25 COMMISSIONER ADEGBILE: Aye.

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1 CHAIR LHAMON: Commissioner Heriot?

2 COMMISSIONER HERIOT: Of course I vote no.

3 CHAIR LHAMON: Commissioner Kirsanow?

4 COMMISSIONER KIRSANOW: No.

5 CHAIR LHAMON: Commissioner Yaki?

6 COMMISSIONER YAKI: No.

7 CHAIR LHAMON: Vice Chair Timmons-Goodson?

8 VICE CHAIR TIMMONS-GOODSON: Of course I
9 vote yes.

10 CHAIR LHAMON: And I vote yes.

11 The motion fails because there were three
12 Commissioners opposed and three Commissioners in
13 favor.

14 VICE CHAIR TIMMONS-GOODSON: Okay, with it
15 having failed, might be appropriate, Madam Chair, that
16 I then offer this in terms of it going out as a letter
17 under your signature inquiring as Commissioner Heriot
18 has sought? It failed.

19 CHAIR LHAMON: Yes, maybe we could
20 persuade Commissioner Heriot.

21 COMMISSIONER HERIOT: I'm not used to
22 winning on this.

23 CHAIR LHAMON: You convinced Commissioner
24 Yaki to come along with you.

25 COMMISSIONER ADEGBILE: Democracy in

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1 action.

2 COMMISSIONER YAKI: Hang on, hang on. I'm
3 sorry, I'm sorry, I'm going to move to change my vote
4 because I totally was not paying attention to what was
5 going on.

6 CHAIR LHAMON: Were you, perhaps, confused
7 Commissioner Yaki, and you intended to vote yes?

8 COMMISSIONER YAKI: I was actually looking
9 at a statement by Commissioner Kirsanow on another
10 issues and I thought, no. So, I apologize.

11 Could I -- I'd like to change my vote to a
12 yes.

13 CHAIR LHAMON: Okay.

14 COMMISSIONER HERIOT: I have no objection
15 to that.

16 CHAIR LHAMON: Thank you.

17 But, we all appreciate your levity, so,
18 thank you for that today as well.

19 The motion therefore passes, two
20 Commissioners opposed, none abstained, all others were
21 in favor. So, thank you.

22 COMMISSIONER ADEGBILE: Thanks for that
23 experiment in democracy.

24 (LAUGHTER)

25 **DISCUSSION ON THE ENVIRONMENTAL PROTECTION AGENCY**

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AND ITS DECISION REGARDING UNIONTOWN, ALABAMA

CHAIR LHAMON: And, let's see how do with our next statement. Let's now consider the statement about the Environment Protection Agency and its decision regarding Uniontown, Alabama.

I'll turn it over to Commissioner Yaki to read the statement, please.

COMMISSIONER YAKI: I hope I won't vote no on my own thing.

(LAUGHTER)

COMMISSIONER YAKI: You know, so, Commissioners, this is an issue that this Commission actually, unfortunately, perhaps foresaw in its report last year, this is regarding the dismissal of the civil rights complaint made by the residents of Uniontown, Alabama from the coal ash deposits and this is what it states.

U.S. Commission on Civil Rights Statement regarding EPA decision on Uniontown, Alabama.

As an Agency that conducted its own fact finding on environmental justice enforcement from the Environmental Protection Agency, we express our deep concern over the EPA's recent decision to dismiss two Uniontown, Alabama civil rights investigations without violation findings.

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1 Sadly, these dismissals continue the EPA
2 disturbing and longstanding track record which this
3 Commission documented of not making a formal finding
4 of discrimination or denying or withdrawing financial
5 assistance from a recipient for civil rights
6 violations.

7 After our investigation, which included
8 meeting with and hearing from the affected residents
9 of the Uniontown community, the Commission found that
10 the EPA decision to allow the movement and storage of
11 coal ash in Uniontown did not fully consider the civil
12 rights impacts.

13 We also found that storage of coal as in
14 Uniontown has adversely impacted the surrounding
15 community.

16 These latest decisions by the EPA
17 perpetuate the environmental injustice the Uniontown
18 community must endure.

19 Environmental justice is a critical civil
20 right that helps address the negative health outcomes
21 in communities of color and low income communities who
22 are disproportionately affected by environmental
23 pollution.

24 We will continue to monitor the EPA's
25 enforcement of federal civil rights statutes and find

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1 this is yet another distressing step in the wrong
2 direction for the Agency.

3 The Commission's 2016 Statutory
4 Enforcement Report, "Environmental Justice, Toxic
5 Materials, Poor Economies and the Impact on the
6 Environment of Low Income Minority Communities,"
7 examined the EPA's work under Title VI of the Civil
8 Rights Act of 1964 and Executive Order 12898 with a
9 focus on the civil rights implications of the
10 placement of coal ash disposal facilities near
11 communities of color and low income communities
12 exactly like -- and I just editorialized that exactly
13 -- like Uniontown, Alabama.

14 In addition to the briefings held by the
15 Commission in Washington, D.C., two additional public --
16 two additional meetings on topics were coordinated
17 that year by the Commissions North Carolina and
18 Illinois State Advisory Committees. Period.

19 End of statement.

20 CHAIR LHAMON: Thank you.

21 And, whereas, we typically don't read the
22 footnotes, there is only one in this one and it notes
23 that both Commissioner Adegbile and I did not
24 participate in this investigation because it occurred
25 prior to our appointment.

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1 Thank you for reading it, Commissioner
2 Yaki.

3 We can now discuss the statement. Is
4 there a motion so we can open the floor for
5 discussion?

6 COMMISSIONER YAKI: I so move.

7 CHAIR LHAMON: Thank you.

8 Is there a second?

9 VICE CHAIR TIMMONS-GOODSON: Vice Chair
10 Timmons-Goodson, I second.

11 CHAIR LHAMON: Thank you.

12 Any discussion on this statement?

13 Commissioner Heriot?

14 COMMISSIONER HERIOT: Yes, I was a little
15 surprised by this statement. This is the case, I know
16 some of you were not on the Commission at the time,
17 this is the case where we had planned an investigation
18 to go down to Uniontown, Alabama, but it was abruptly
19 cancelled over my objections.

20 This is one of those cases where at least
21 one member of the Commission tried to have the General
22 Counsel's Office state that it would an ethical
23 violation for me to go down to Uniontown.

24 In the end, I was the only Commissioner to
25 go to Uniontown. It was very clear that some of what

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1 we were told during the briefing here in Washington,
2 D.C. was incorrect.

3 Frankly, I thought that report was one of
4 the Commission's greater embarrassments.

5 And so, I am very surprised given our
6 level of expertise in this area, which is essentially
7 nil, that we would be questioning the EPA's findings.

8 CHAIR LHAMON: Any others?

9 COMMISSIONER YAKI: Commissioner -- Chair?

10 CHAIR LHAMON: Commissioner Yaki?

11 COMMISSIONER YAKI: We had two briefings
12 on this in Washington, D.C. North Carolina also held
13 issues on this.

14 Again, this is a pattern and practice by
15 the EPA Office of Civil Rights through many
16 administrations. This is not aimed at any single
17 administration, this is something that we have found
18 to be a distressing pattern, ongoing.

19 And, this confirms actually our findings
20 going forward. And, I will say that one of the great
21 things that came out, side benefits of our hearing on
22 voting rights in North Carolina is that we actually
23 met with some of the folks from Alabama who drove up
24 to talk about what an impact our hearing has had
25 positively for residents in the community.

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1 And, I think that this is -- this
2 statement is amply warranted.

3 CHAIR LHAMON: Any further discussion?

4 (NO RESPONSE)

5 CHAIR LHAMON: Okay, I'll call the
6 question and take a roll call vote.

7 Commissioner Adegbile, how do you vote?

8 COMMISSIONER ADEGBILE: Aye.

9 CHAIR LHAMON: Commissioner Heriot?

10 COMMISSIONER HERIOT: No.

11 CHAIR LHAMON: Commissioner Kirsanow?

12 COMMISSIONER KIRSANOW: No.

13 CHAIR LHAMON: Commissioner Yaki?

14 COMMISSIONER YAKI: Yes.

15 CHAIR LHAMON: Vice Chair Timmons-Goodson?

16 VICE CHAIR TIMMONS-GOODSON: Yes.

17 CHAIR LHAMON: And, I vote yes.

18 The motion passes, two Commissioners
19 opposed, no Commissioner abstained, all others were in
20 favor.

21 **COMMEMORATION OF WOMEN'S HISTORY MONTH PAGE**

22 **HARRINGTON, HISTORIAN AND PRESERVATIONIST**

23 CHAIR LHAMON: I see that we are just at
24 11:00 a.m. and we have our two scheduled speakers here
25 with us, so I'm going to table the discussion for the

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1 rest of the business meeting to follow the
2 presentation from our two speakers and invite them to
3 come to their places at the podium and we can begin
4 our historical presentation.

5 Then, after that concludes, we'll return
6 to the remainder of our business meeting.

7 So, as our two speakers are joining us, we
8 are planning now to commemorate Women's History Month
9 and I will say that the long march toward full
10 equality for women in this country continues and
11 follows the vision, leadership and every day acts of
12 courage that are well worth our remarking and
13 celebrating.

14 In keeping with our bipartisan tradition
15 at the Commission, I also note that the women's
16 equality effort has long been bipartisan and
17 championed by strong leaders across the political
18 aisle.

19 Whereas, feminism is often associated with
20 the Democratic Party, I offer a few very recent
21 examples of Republican leadership for women's rights.

22 It was Republican President Nixon's
23 Presidential Task Force on Women's Rights and
24 Responsibilities that recommended adding sex
25 discrimination to this Commission's jurisdiction,

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1 which President Nixon supported in 1972.

2 Former First Lady Betty Ford lobbied
3 extensively for women's rights and specifically for
4 the Equal Rights Amendment which has yet to ratified
5 and was named *Time* Magazine's Woman of the Year in
6 1975 for her efforts toward women's full equality.

7 As a child of that era and having grown up
8 with ERA now pins and stickers displayed at my
9 mother's office and in our home, I especially
10 appreciate her leadership.

11 And, more recently, Carly Fiorina
12 proclaimed the Republican Party as the party of
13 women's suffrage during her recent presidential
14 campaign in 2016.

15 I look forward to hearing more about the
16 rich and varied history of this civil rights movement
17 from our speakers today. And, I appreciate the
18 persistence of those who paved the way before me,
19 creating a space for freedoms I and my daughters now
20 enjoy.

21 Our first speaker, Page Harrington, is a
22 consulting public historian and preservationist
23 specializing in early 20th Century women's history.

24 As President of Page Harrington and
25 Company, LLC, she advises museums on creative and

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1 practical strategies to integrate women's history into
2 existing museum interpretation exhibits and programs.

3 Harrington's forthcoming book titled,
4 "Interpreting Suffrage, Women's Equality and Racism at
5 Museums and Historic Sites," will be released in
6 spring of 2019. I look forward to reading it.

7 Harrington is the former Executive
8 Director of the National Woman's Party at the Belmont-
9 Paul Women's Equality National Monument, the founding
10 co-chair of the Women's History Affinity Group for the
11 American Association of State and Local History, and
12 serves on the Women's Vote Centennial Initiative.

13 She also advised the U.S. Congressional
14 Commission on their exploratory study for an American
15 Museum of Women's History as part of their Scholar
16 Committee.

17 Harrington holds two Master's degrees from
18 the University of San Diego, one in public history and
19 historic preservation, and the second in nonprofit
20 management and leadership.

21 Our second speaker, Fatima Goss Graves, is
22 the President and CEO of the National Women's Law
23 Center.

24 Ms. Goss Graves has served in numerous
25 roles at the National Women's Law Center for more than

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1 a decade and has a distinguished track record working
2 across a broad set of issues central to women's lives
3 including income security, health and reproductive
4 rights, education access and workplace justice.

5 Ms. Goss Graves currently oversees the
6 Center's administration of the Times Up Legal Defense
7 Initiative which connects those who experience sexual
8 misconduct including assault, harassment, abuse and
9 related retaliation in the workplace or in trying to
10 advance their careers, with legal and public relations
11 assistance.

12 Before becoming CEO and President, she
13 served as the Center's Senior Vice President for
14 Programs where she led the organization's broad
15 program agenda.

16 Prior to that, as the Center's Vice
17 President for Education and Employment. She led the
18 Center's Anti-discrimination Initiatives including
19 work to promote equal pay and address harassment and
20 violence at work and in school with a particular focus
21 on outcomes for women and girls of color.

22 As I can attest, as having been on the
23 receiving end of her impressive advocacy, she is
24 widely recognized for her effectiveness in the complex
25 public policy arena at both the state and federal

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1 levels, regularly testifies before Congress and
2 federal agencies and is a frequent speaker at
3 conferences and other public education forums.

4 Ms. Goss Graves appears often in print and
5 on air as a legal expert on issues core to women's
6 lives including in the *New York Times*, *Wall Street*
7 *Journal*, *Washington Post*, *Associated Press*, *Chicago*
8 *Tribune*, *LA Times*, *San Francisco Chronicle*, *CNN*,
9 *MSNBC*, *PBS* and *NPR*.

10 Ms. Harrington, we'll hear from you first.

11 **PAGE HARRINGTON, HISTORIAN AND PRESERVATIONIST**

12 MS. HARRINGTON: Good morning,
13 Commissioners and Chair Lhamon. I'm delighted to be
14 here today and speak to you a little bit in honor of
15 Women's History Month.

16 I have prepared remarks and then, what I'm
17 hoping for is some questions and maybe a little bit of
18 a dialogue going back and forth I think would be
19 fantastic.

20 CHAIRMAN LHAMON: Terrific.

21 MS. HARRINGTON: The women's suffrage
22 movement officially began with the Seneca Falls
23 convention in 1848 and continued through the
24 ratification of the 19th Amendment in August of 1920 -
25 which ultimately granted 26 million the right to vote.

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1 Early icons such as Elizabeth Cady
2 Stanton, Lucretia Mott, Sojourner Truth, Susan B.
3 Anthony and Mary Church Terrell knew that women could
4 not better their own lives and the lives of their
5 children and their communities without enfranchisement
6 and equal rights under the law.

7 The history of the National Woman's Party
8 begins with Alice Paul and Lucy Burns who,
9 coincidentally, met in England while they were in jail
10 picketing with the Pankhurst family.

11 They were not encumbered by husbands or
12 children, so they could travel to England and work on
13 this important work.

14 They were both white, educated, middle-
15 class women and they had the financial means and time
16 to take on the cause.

17 The Pankhursts used militant tactics like
18 heckling politicians, smashing windows, setting fires
19 in public trash cans, all to raise public awareness of
20 their suffrage demands.

21 When Paul, Burns and the others returned
22 to the United States in 1910, they were determined to
23 bring these militant activities back and use them
24 here.

25 Alice and Lucy and many others began by

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1 planning the March 3rd, 1913 parade. The parade was
2 meant to disrupt the arrival of the newly-elected
3 President Wilson on the eve of his inauguration.

4 Instead, they hoped that the public would
5 watch more than 5,000 women march from the U.S.
6 Capitol down Pennsylvania Avenue to the White House.
7 This type of spectacle was largely unheard of in 1913
8 and the public reacted very badly.

9 The women were violently attacked as they
10 marched. The police stood by and simply watched the
11 riots unfold. Over 100 marchers were hospitalized and
12 ultimately, the Fort Myer Calvary had to be called in
13 to disburse the crowd.

14 By 1916, women had the vote in only twelve
15 states. And, Alice Paul and Lucy Burns officially
16 founded the National Woman's Party.

17 Through a sustained campaign of mass
18 propaganda and nonviolent action, the National Woman's
19 Party campaigned for a federal suffrage amendment.

20 The organization brilliantly used
21 cartoons, posters, pamphlets and picket banners in
22 order to educate the public, influence politicians and
23 fight back against the long established hostility
24 toward the suffrage campaign.

25 The NWP very aggressively lobbied members

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1 of Congress. Now, they were not the first to do this.

2 However, the strategic way in which they tracked
3 their subjects made them very unique and many
4 organizations later adopted their strategies.

5 The press often referred to their deadly
6 political index which, in essence, was really just a
7 collection of index cards in which the NWP kept
8 meticulous notes on every member of Congress.

9 But, their research was meticulous. They
10 knew their hobbies, education, religious and family
11 economic background, where they stood on suffrage and
12 also other issues.

13 The NWP members who conducted the
14 interviews left detailed notes that speak to the
15 thoughts of Congress at the time. I have two
16 examples.

17 He was so violently opposed as to even be
18 hostile in his attitude. He opposed the amendment on
19 the grounds of states' rights but also on the
20 principle of the everlasting inferiority of women.

21 And second, a smart aleck of the worst
22 kind. My interview was a complete waste of time and a
23 sore trial on my patience.

24 Beginning in 1917, the NWP began picketing
25 the White House. For over two years, NWP members

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1 coordinated an ongoing demonstration in front of the
2 White House gates.

3 Thousands of women known as the Silent
4 Sentinels came from across the country and took turns
5 picketing and engaging in civil disobedience.

6 They burned Wilson's speeches and silently
7 held large banners for the president and everyone else
8 to see with slogans like, how long must women wait for
9 liberty? And, Mr. President, what will you do for
10 women's suffrage?

11 These banners and the pickets were
12 aggressive, direct and rhetorically brilliant, with
13 slogans meant to inspire and engage.

14 We take it as commonplace today for
15 protesters to be outside of the White House. But,
16 until the NWP's picketing, this had actually never
17 been done before.

18 And so, as you can imagine, eager crowds
19 would gather daily to read the new banners and to
20 watch the spectacles unfold.

21 When the United States entered World War I
22 in 1917, public sentiment changed. Across the
23 country, thousands of women turned their attention to
24 the war effort and many expected the suffragists to do
25 so.

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1 But, the NWP felt otherwise. During the
2 Civil War, suffragists had put their cause on hold and
3 many felt that it had held them back for decades.

4 The banners they carried to the picket
5 line became more inflammatory, basically labeling
6 President Wilson a hypocrite for fighting a war of
7 democracy abroad while not protecting women at home.

8 One very powerful banner slogan was, Mr.
9 President, how long must women be denied a voice in
10 government which is conscripting their sons?

11 They even called him Kaiser Wilson, which
12 is, you can imagine, did not go over well and actually
13 resulted in attacks on the suffragists.

14 The police, again, made no effort to stop
15 the attacks or to apprehend the attackers. At the
16 request of the Administration, the police began to
17 arrest the suffragists.

18 These were well known social advocates and
19 prominent society women. In some cases, middle-aged
20 or older women who were arrested on charges of
21 obstructing traffic.

22 Ultimately, over 2,000 women picketed the
23 White House, 500 were arrested and 168 were imprisoned
24 either at Occoquan Workhouse in Lorton, Virginia or in
25 the District of Columbia Jail.

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1 They demanded to be treated as political
2 prisoners. Instead, they were met with brutality.
3 They were fed meals that consisted of sour bread, half
4 cooked vegetables and rancid soup with worms in it.

5 When the women went on hunger strikes,
6 they were strapped down and forcibly fed. The oldest,
7 Mary Nolan, was 73 when she was arrested and jailed.

8 The public and press reacted with outrage
9 and sympathy toward the women.

10 By 1918, the NWP's tactics, the backlash
11 from their imprisonment and the persistent lobbying
12 eventually forced President Wilson to endorse the 19th
13 Amendment as a war measure.

14 In 1919, both the House and the Senate
15 passed the Susan B. Anthony Amendment and on August
16 26th, 1920, the 19th Amendment was signed into law,
17 granting 26 million women the right to vote, and it
18 only took 72 years.

19 Under Alice's leadership, the NWP then
20 turned their attention back to Congress. They worked
21 on hundreds of pieces of legislation that secured
22 marriage rights, the right to have custody of their
23 own children in case of divorce, the right to
24 education, the right to own property, the right to
25 keep their own wages and over 100 more.

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1 Most notably, in 1923, the NWP produced a
2 new piece of legislation, the Equal Rights Amendment.

3 Equality of rights under the law shall not be denied
4 or abridged by the United States or by any state on
5 account of sex.

6 The NWP continued to work for more than 50
7 years to end the legal, social and economic
8 discrimination against women both here in the United
9 States and abroad.

10 From 1929, when the NWP moved into the
11 Sewall-Belmont House, it became the principle center
12 for women's rights activism through '30s, '40s, '50s
13 both nationally and internationally.

14 The NWP was, for many years, the only
15 national organization committed to raising the legal
16 status of women through the Equal Rights Amendment and
17 other pieces of legislation.

18 Some examples include the 1922 Cable Act
19 which impacted women who lost their citizenship
20 because they married foreigners or resided abroad.

21 The repeal of Section 213 of the National
22 Recovery Act of 1932 which eliminated the barring of
23 federal employees working for the government if their
24 spouses were also so employed.

25 1963 Equal Pay Act made it illegal to pay

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1 women lower rates for the same jobs strictly on the
2 basis of sex.

3 Title VII of the Civil Rights Act and
4 Title IX Education Amendments prohibiting
5 discrimination against girls in federally funded
6 athletic programs.

7 By the 1930s, the National Woman's Party
8 was operating the house as a public museum and sharing
9 the history of suffrage. In order to protect the
10 house and continue sharing that history, the National
11 Woman's Party began yet another campaign, this time to
12 secure recognition for the house as a national
13 monument.

14 So, 39 years after Alice Paul passed away,
15 the house became the first national monument named for
16 two women, NWP benefactor, Alva Belmont and Alice Paul
17 and the first named for women's equality.

18 On Equal Pay Day of 2016, President Barak
19 Obama declared the Sewall-Belmont House was now the
20 Belmont-Paul Women's Equality National Monument so
21 that generations of girls and boys would hear the
22 story and be inspired.

23 In partnership with the National Park
24 Service, the NWP remains in the house and is the
25 principle steward of the archival collection of over

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1 30,000 artifacts including many of the original
2 banners that I discussed.

3 The NWP also remains a public convener
4 hosting programs and discussions that focus on women's
5 equality.

6 Within the first year under National Park
7 Service, visitation was up 75 percent and the house
8 has already undergone assessment for upcoming
9 preservation projects.

10 However, there is still much work to do
11 before we note the centennial of the 19th Amendment in
12 2020.

13 In this very limited summary of the NWP's
14 campaign for suffrage, you'll notice that there were
15 very few references to the many women of color who
16 also worked for suffrage.

17 And, until now, I haven't even mentioned
18 the vast racial and economic discrimination of the
19 movement.

20 For example, the African-American women
21 who marched in the 1913 suffrage parade including Ida
22 Wells-Barnett and many women from Howard University
23 had to march at the back of the procession.

24 Wells, of course, did not agree and
25 marched instead with the Illinois delegation, but the

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1 vast majority of women did.

2 In the early years after the Seneca Falls
3 convention, the American Woman Suffrage Association
4 worked toward universal suffrage.

5 However, as the decades passed, the larger
6 suffrage associations, including the NWP, bowed to
7 pressure from their members in the south who were
8 interested only in the voting rights of white women.

9 Because the women of color were excluded
10 from the larger organizations, they're also largely
11 left out of the interpretation at historic sites
12 today. And, many of their documents and artifacts are
13 not included in archives and repositories which makes
14 their stories incredibly hard to find.

15 There is, however, great work being done.
16 National Park Service and NWP are jointly working on
17 research that will yield materials and information and
18 allow a more accurate interpretation of suffrage that
19 can then be shared with the visiting public.

20 Scholars and historians including myself
21 continue to research and publish on this subject.

22 And, grassroots organizations like Chick
23 History in Tennessee and the National Civil Rights
24 Museum at the Lorraine Motel are actively working to
25 digitize family records of African-American women

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1 during the suffrage campaign and make them available
2 for research.

3 The goal being, that when the exhibits and
4 programs and celebrations focusing on the centennial
5 of the 19th Amendment in 2020 will finally share the
6 accurate and honest story of the suffrage campaign,
7 one that reflects all communities and is inclusive of
8 all voices.

9 Thank you.

10 CHAIR LHAMON: Thanks very much, Ms.
11 Harrington.

12 Ms. Goss Graves?

13 **FATIMA GOSS GRACES, PRESIDENT AND CEO, NATIONAL**
14 **WOMEN'S LAW CENTER**

15 MS. GOSS GRAVES: Thank you so much for
16 having me at the Commission. And, it's really an
17 exciting time, I believe, in the women's movement and
18 the movement for gender justice broadly for a few
19 reasons that I will promise I will to the history
20 party, but I want to just sort of set the table about
21 where we are now.

22 And, part of the reason that it is
23 exciting is because we, I think, are growing to have a
24 different understanding about the real importance of
25 organizing and doing work at the intersections of

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1 gender discrimination but the way it intersects with
2 many other forms of oppression.

3 And, there are also new leaders in this
4 work whose long-time advocacy to improve the lives of
5 women and girls is coming to the surface and their
6 names are getting known and will hopefully be
7 documented in our history.

8 And, there is a different level of energy,
9 the sort of energy that led to the greatest mass
10 mobilization that we've seen in our nation's history
11 with a women's march that centered the experiences of
12 women of color.

13 And, women, themselves, are engaged as
14 activists in new ways. They are leading both in
15 making calls to Congress, they are leading in who
16 shows up at town halls, women lawyers which we're
17 really excited about are leading in their
18 volunteerism.

19 And, women in both parties are running for
20 office in record numbers.

21 And so, for the work we do at the National
22 Women's Law Center, which was founded 45 years ago to
23 be doing this work in the middle of such a vibrant and
24 energetic understanding and such very serious
25 attention to women and girls lives, is really exciting

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1 for all of us.

2 And, one of the things that's happening
3 right now is women are leading conversations and
4 really standing in solidarity and trying to break the
5 silence around harassment and violence and the ways in
6 which it impacts their lives.

7 And, that has come to prominence through
8 the framework of MeToo. And, most of you probably
9 hear -- have heard about MeToo, but I'll just say a
10 couple of things about it.

11 It was the long-time rallying cry that was
12 developed first by Tarana Burke in her local
13 organizing to let survivors of harassment and violence
14 know that they were not alone and that there was
15 collective -- that there could be healing and joy in
16 coming together as a collective and understanding that
17 you are not alone and, yes, me too.

18 It was amplified in October and millions
19 became to share their experiences in digital spaces
20 and then in real life and now, it's showing up at
21 institutions.

22 But, it also has been the space where many
23 first learned about harassment and violence in deep
24 ways and the ways in which it touched so many
25 institutions, the ways in which workers facing working

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1 in the lowest paid jobs in restaurants and hotels and
2 on farms actually had a lot in common with those who
3 were in the upper paid jobs and even those who were
4 working in Hollywood.

5 And, that common understanding is what
6 galvanized a coalition of initially 300, but far more
7 now, entertainment influencers and attorneys to create
8 an initiative that's designed to help low wage workers
9 connect with attorneys who can represent them in
10 harassment and related retaliation cases.

11 And, that is what became what is now the
12 Times Up Legal Defense Fund.

13 I will just tell you a couple things about
14 the Times Up Legal Defense Fund. It, in two months,
15 has raised over \$21 million to support these types of
16 cases.

17 But, what I have been truly inspired by is
18 the way people have showed up to support. We now have
19 almost 700 attorneys how have joined with us to say
20 that they will be willing to take on these cases.

21 We've had over 20,000 people contribute to
22 the fund in increments as small as \$5.00 which is
23 really their way of saying I want to support this
24 effort.

25 And, we have had over 2,000 people contact

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1 us since January 1st seeking our assistance, really
2 bravely, many people unfortunately are calling us too
3 late because they have been reliving experiences that
4 were long ago.

5 And so, some people are calling us to just
6 tell their story so that someone knows. They now know
7 that something that happened five years ago, there's
8 not a lot of protection for you under our federal
9 laws, but they wanted to still name their experiences.

10 So, for us, it's really just extraordinary
11 to be living in such a vibrant period and doing this
12 work where, in a time where we really feel like it's a
13 moment that stands to push institutions to no longer
14 engage in the historic shaming and blaming and
15 silencing survivors that has occurred historically.

16 And, as exciting as I find this movement
17 and this moment, I have been thinking a lot about the
18 many people over time who laid the groundwork for
19 where we are today.

20 And, in many ways, their stories and the
21 stories of the leaders, in particular, have been
22 really critical points in time and have not really
23 gotten the prominence.

24 So, I'll start, you know, thanks to Oprah,
25 we now know the name of Recy Taylor. And, Recy Taylor

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1 was a black woman who was kidnaped and gang-raped by
2 six white men while leaving church in 1944.

3 And, took, at the time, the very unusual
4 step of trying to seek justice through the criminal
5 justice system.

6 And, although two grand juries failed to
7 indict, the outrage about this unaddressed violence
8 sparked critical mobilizing around the country. And,
9 that mobilizing seeded the groundwork for the
10 Montgomery Bus Boycott built on decades later.

11 So, when we think about Recy Taylor's
12 story, many of us didn't know it in modern times, but
13 those of us who were steeped in this work really
14 believe we are building on the power of sharing those
15 sorts of stories and experiences to mobilize people
16 into action really broadly.

17 I also recently have been reminded of
18 Carmita Wood. And Carmita was a black woman who was,
19 at the time, refused unemployment insurance on the
20 grounds that the decision to leave her job at Cornell
21 Lab after years of sexual harassment was a personal
22 decision, it was personal reasons so she did not
23 qualify they said for unemployment insurance.

24 But, that did not stop her. She worked
25 with advocates and lawyers to form what was then

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1 called Working Women United. And, it was one of the
2 first organizations to really lay the foundation and
3 language for sexual harassment and framed the issue of
4 sexual harassment as not a personal issue for people
5 to deal with, but as a matter of discrimination.

6 That's critical for the moment that we're
7 in. Part of what we're dealing with now is a cultural
8 shift where people are thinking about harassment and
9 violence as not just personal issues for people to
10 contend with by themselves, but structural issues
11 including as ones that are covered by our
12 discrimination laws that are going to require also
13 structural solutions.

14 It's also important to remind us of
15 Michelle Vincent. Michelle Vincent was also a black
16 woman who was working as a bank teller who stood up to
17 her employer and brought the case that established in
18 the Supreme Court that harassment was protected under
19 Title 7.

20 When she brought that case, her bank's
21 defense was essentially that she was either lying or
22 promiscuous and dressed really provocatively or all of
23 those things.

24 The Court rejected those arguments and,
25 you know, you think back to that period of time that,

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1 you know, Michelle Vincent carried the weight of not
2 only working there for so many years and enduring this
3 sort of abuse, but also the abuse of standing up to
4 her employer and hearing reflected back to you that
5 all of these things that are so steeped in race and
6 sex stereotypes were cause for you not to have a
7 claim.

8 It also reminds us of Paulette Barnes who
9 worked at the EPA and also stood up to her boss. Her
10 case led to the Federal Court of Appeals finding that
11 sexual harassment constituted sex discrimination under
12 Title VII before the Vincent case.

13 And, this case really led the first legal
14 groundwork and framework for so many cases to come for
15 us to understand how harassment really is a form of
16 discrimination covered by our civil rights laws.

17 And, it is all of their bravery that paved
18 the way for Anita Hill to testify in 1991 and for now
19 the millions who are saying, me too.

20 I also wanted to let you know about
21 someone who's very near and dear to the National
22 Women's Law Center, and that is LaShonda Davis.

23 LaShonda Davis was our client and she
24 stood up to her school in the Title IX case that
25 established that schools have an obligation to address

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1 harassment.

2 I'll tell you a little bit about her. She
3 was in 5th grade and she reported harassment, an
4 unwanted touching, repeatedly to her teachers and to
5 the school. Her parents reported repeatedly.

6 And, the school's response was
7 effectively, kids will be kids, boys will be boys.

8 Her parents complained for months and,
9 after months, the only resolution was to move LaShonda
10 to the back of the classroom.

11 Finally, her parents found a suicide note.

12 There was no investigation into the claims. And, in
13 that case, the Supreme Court held that schools, yes,
14 did have an obligation to address sexual harassment
15 and set forth the standard for doing so.

16 But, that case was important for so many
17 other reasons. It was really the national rejection
18 of the idea that, you know, the concept of kids will
19 be kids or boys will be boys is a thing that should
20 happen and unchallenged.

21 It was also rejected the idea that was
22 pervasive at the time that there was nothing that
23 schools could do in response.

24 And, it also is a good reminder of the
25 powers of students and parents and all of their

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1 supporters to be able to speak up and challenge
2 practices that they see an unfair and that leaves
3 students feeling unsafe.

4 And, LaShonda's bravery and her family's
5 bravery really led the groundwork for an exciting and
6 vibrant student led movement twenty years later. And,
7 when those students took their schools to task and
8 took the government to task for failing to put the
9 sort of systems in place for preventing and address
10 sexual violence, they were building on the work of
11 LaShonda Davis and her family.

12 So, it's worth pointing out one other
13 group of women whose stories don't get told very often
14 and that was a group of iron workers who joined
15 together to challenge sexual harassment in their
16 workplace.

17 And, they became, together, the first
18 certified class to pursue a class action sexual
19 harassment claim against their employer.

20 And, again, understanding that harassment
21 is not just a personal private problem that it
22 sometimes can be a systemic problem that affects many
23 different employees together.

24 These and so many other leaders really
25 showed their ability to change the way we think about

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1 issues that undermine women's lives. And, they led
2 the fight for law and policy change largely quietly
3 with few people knowing their names.

4 Today's leaders, I believe, are also
5 following in their footsteps and helping us to rise
6 and frame how we should be experiencing this current
7 moment we are in.

8 And, I'm going to just name their names so
9 that we begin to have more of a record and memory of
10 who they are and the work that they are importantly
11 doing.

12 So, whether that is Tarana Burke, who
13 organized for so long under the MeToo framework and
14 has really emerged as a national north star reminding
15 us about the healing journey for survivors and that
16 that is as important as any other conversation.

17 She also reminds us to organize with joy,
18 which is an important thing for our movement.

19 Or, Monica Ramirez who really graciously
20 steered hundreds of thousands of farm workers to
21 support an align with Hollywood. She really reminds
22 us of the power of women working on farms when she
23 sent a letter to Hollywood starting Dear Sisters.

24 That letter, basically, said we know your
25 experiences because we have shared those experiences,

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1 too. And, rather than saying and our experiences are
2 worse because we're doing it in conditions that you
3 can't imagine, she said, we've been organizing for
4 decades. We're here to fight with you for your fight.

5 And, we're here for this shared fight.

6 That is really -- that collective approach
7 in so many ways has -- is what inspired Times Up to
8 not just be about the entertainment industry but to be
9 about all sectors.

10 Or Saru Jayaraman, who long ago helped us
11 all to make the connection between harassment and
12 tipped wages that restaurant workers are subject to.

13 She constantly reminds us that any
14 solution to harassment at work must also address the
15 underlying conditions that mean that harassment is
16 prevalent.

17 So, for the work we do, I don't want to
18 suggest that these are easy times, but as the work
19 continues to push our culture, our laws and our
20 policies through, I think a lot about who our modern
21 day Recy's and Michelle's and Paulette's are.

22 And, I have no doubt that so many other
23 new voices will rise in this time and working to try
24 to secure a world where women can work where they
25 want, attend schools where they want with equity, with

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1 dignity and real safety and lead the lives that they
2 want without these sort of conditions that diminish us
3 all.

4 So, thank you so much for having me and I
5 look forward to any conversation and questions.

6 CHAIR LHAMON: Thanks very much to both of
7 you. I really appreciate both of your presentations.

8 And, I'll open for questions and comments
9 from my fellow Commissioners.

10 Commissioner Heriot?

11 COMMISSIONER HERIOT: I would like to say
12 a word on behalf of the great State of New Jersey.

13 You mentioned Seneca Falls which, of
14 course, is where we date the beginning of the women's
15 movement.

16 But, in 1776, the New Jersey Constitution
17 actually was rather ambiguous about whether women
18 could vote, it used the word inhabitants. There were
19 other requirements as well.

20 But, in 1790, New Jersey had a statute
21 that very clearly allowed women to vote, it used he or
22 she. It's kind of a mixed story on New Jersey, but
23 it's a fairly interesting one.

24 But, women were voting in New Jersey in
25 very, you know, in the last 18th and early 19th

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1 Century.

2 I think in about 1707, there was an
3 election where there accusations of fraud and there
4 were some accusations that men were voting twice, once
5 dressed as men and then once dressed as women. I, of
6 course, cannot comment on the truth of that. New
7 Jersey ended up repealing that law.

8 But, nevertheless, there was a period
9 where New Jersey was leading in this area.

10 I also should say a word on behalf of
11 Wyoming and that is the first state to enter the Union
12 with women voting.

13 Congress originally balked at the notion
14 of admitting Wyoming because they thought this would
15 be a bad example across the country to have a state
16 where women were voting.

17 And so, they said, hey guys, you know, if
18 you like get rid of this women suffrage thing, then
19 you're going to grease the wheels a lot more quickly.

20 And, the Wyoming legislature, to its
21 everlasting credit, cabled back to congressional
22 leaders, and I've written it down here so I'll get the
23 words right, "we will remain out of the Union 100
24 years rather than come in without the women."

25 And so, eventually, Congress relented and

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1 by the end of the century, there were four states that
2 allowed women to vote, all mountain states. So, go
3 mountain women.

4 CHAIR LHAMON: Madam Vice Chair?

5 VICE CHAIR TIMMONS-GOODSON: Yes, Ms.
6 Harrington, I listened to you talk about all of the
7 efforts that were put forward that eventually led
8 President Wilson to support the 19th Amendment.

9 And, I found myself thinking back to the
10 ERA and all of the efforts made during my lifetime to
11 get that amendment passed.

12 And, I was wondering whether you had any
13 thoughts on why we've been unsuccessful in passing the
14 ERA Amendment?

15 MS. HARRINGTON: So, it is -- there are
16 definitely parallels, I think, between the suffrage
17 campaigns and certainly the campaign for equal rights.

18 It's astonishing to most people, and I'll
19 say, I was the Executive Director of the National
20 Woman's Party for about nine years, and in all of the
21 tours and all of the hundreds of times that I've led
22 people through that house, they say two things to me
23 that just never fails to shock me.

24 The first is, why didn't I learn this in
25 school? To that, I can't -- I know of a lot of

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1 reasons you didn't learn it in school, I didn't learn
2 it in school. I didn't learn it until graduate
3 school.

4 And, the second is, they almost always
5 assume that the Equal Rights Amendment was something
6 that was put forth and passed and is part of the
7 Constitution since the 1970s.

8 So, the vastness of these campaigns and
9 how long it actually takes to get this change to
10 happen is really shocking for a lot of people,
11 especially younger people because they're thinking, my
12 goodness, 1923? The '70s sounds like ancient times,
13 right, to most kids that are in high school today or
14 college.

15 (LAUGHTER)

16 MS. HARRINGTON: It is. So, it's very
17 fascinating.

18 But, you know, I think that, for one
19 thing, it's complicated. And, two, just like the
20 suffrage campaign, there were very many factions
21 working on different things. And, there was not a lot
22 of unity to really push it forward.

23 The Equal Rights Amendment has had a lot
24 of -- there's been a lot of resurgence. There's been
25 a lot of talk about it, certainly in the last few

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1 years.

2 Nevada just passed the Equal Rights
3 Amendment, I think it was in 2016 or early 2017, which
4 leaves two states, if they were to ratify, then -- and
5 the time limit was eliminated -- then we would have an
6 Equal Rights Amendment.

7 But, a lot of people still don't agree
8 with it because they believe that a lot of the blanket
9 protection has already been done in other pieces of
10 legislation and policies. And, I know that Ms. Goss
11 Graves can certainly speak to that much better than I
12 can.

13 But, I do know that there are still
14 organizations that are working on it and do believe
15 that, again, we're not equal under the law, not yet.

16 VICE CHAIR TIMMONS-GOODSON: Madam Chair,
17 may I ask one more question?

18 CHAIR LHAMON: Sure.

19 VICE CHAIR TIMMONS-GOODSON: This one is
20 for Ms. Goss Graves.

21 Thank you, thank you, thank you for the
22 names that you've shared with us and the tremendous
23 work that they did and the debt that we owe all of
24 them.

25 But, as I listened to you talk about Recy

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1 Taylor and Carmita Woods and Michelle Vincent and all
2 the others, I found myself wondering what is it that
3 these ladies had in common that gave them the courage
4 and whatever else to go forward and to stand up and to
5 complain?

6 And then, selfishly, I asked how can I get
7 a hold of some of that?

8 (LAUGHTER)

9 MS. GOSS GRAVES: Well, I also want that,
10 too.

11 (LAUGHTER)

12 MS. GOSS GRAVES: But, I will maybe answer
13 your question a little bit differently because,
14 sometimes when people are coming forward and we've
15 been finding this in the many intakes we have gotten,
16 when they take those first steps, I don't know that
17 people always know the range of things they're about
18 to confront. Right?

19 They're seeking fairness and many times,
20 people sort of think, it should be fair, so I should
21 just be able to do this thing.

22 And, so, the fact that they were also not
23 just able to initiate but also endure through many,
24 many hurdles, not just legal hurdles, but also the
25 sort of shaming that many of them dealt with.

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1 And, to the extent that there was public
2 reaction and, you know, it was sometimes negative
3 public reaction.

4 And, recently, the *Washington Post* talked
5 a little bit about what it was like for Michelle
6 Vincent when she brought her case at the time. And,
7 there was, you know, coverage about what it is she
8 wore to the Supreme Court argument and coverage about
9 and debate about, you know, is it really illegal to
10 not want to sleep with your boss?

11 You know, they, at the time when people
12 were trying to establish these principles firmly in
13 the law and there was a lot of cultural unsettlement
14 and not legal clarity, you know, so I'm not really
15 answering your question, I'm just saying, in some
16 ways, it was even harder than you can imagine because
17 there wasn't the certainty.

18 And, when I think about the people who are
19 coming forward today where there is more legal
20 certainty on a number of fronts and have long been the
21 case for decades, yet they have these experiences that
22 don't get addressed by their employers.

23 So, one of the questions that we are
24 asking ourselves now really deeply is, where that
25 disconnect is? Why is it that so -- that when there

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1 is survey data as high as 1 in 3 and in some sectors,
2 even higher, people say, yes, I've experienced
3 harassment, and actually, no, I probably report it.
4 Right.

5 So, why there is this disconnect, this --
6 despite our current legal framework?

7 VICE CHAIR TIMMONS-GOODSON: I think your
8 response has helped me define more clearly the
9 question that I'm trying to ask and that is, what is
10 it that these ladies have in common that, in fact,
11 allowed them to endure what they were later subjected
12 to?

13 MS. GOSS GRAVE: Yes, you know, one thing
14 that is the case for several of them when I've read
15 about their back stories that they all had really
16 strong family support as they were coming forward.

17 And so, even though you have, in some
18 cases, a public rejection, there was family support.
19 And, that was true and Anita Hill has even talked
20 about that, that deep family support that she had
21 during her testimony.

22 So, that might be one factor.

23 VICE CHAIR TIMMONS-GOODSON: Thank you.

24 CHAIR LHAMON: I'm really struck listening
25 to both of you about the efforts that you both have

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1 made and that the organizations you work in have both
2 made to give voice to, give visibility to the wide
3 variety of people who have populated this effort and
4 this struggle.

5 And, I appreciate, and Ms. Harrington, in
6 your historical perspective, the conscious effort to
7 explain that this is not only a white women's
8 movement, that this is a movement that all women have
9 participated in. And, that that movement has included
10 much attention about that topic as well.

11 And, Ms. Goss Graves has, in your
12 discussion now, about making sure that today, this is
13 a movement that reflects all of who women are and is
14 inclusive in the civil rights effort.

15 I think that resonates for me and also I
16 so appreciate Ms. Harrington, your effort to ensure
17 that, at the 100th anniversary, we will be able to see
18 and hear and have context for all of whom -- all of
19 whose shoulders we stand on now and what brought us
20 here.

21 I also was struck in your last answer, Ms.
22 Goss Graves, with the notion of the strength of a
23 family support, in contrast, Ms. Harrington, to what
24 you said about two women who were unencumbered by
25 spouses and children in their ability to move forward.

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1 And, I think that makes me think that we
2 think of families in broad and narrow terms, right?

3 MS. GOSS GRAVES: Right.

4 CHAIR LHAMON: And, the ways that I
5 imagine they had support that led them able to move
6 forward, but at a time when spousal or children
7 support would have been an albatross and that would
8 have been an impediment and I hope maybe you could
9 speak more to that.

10 MS. HARRINGTON: Right, definitely.

11 So, it was. When we think about family,
12 we think about our biological family or the families
13 that raised us and that we lived in.

14 And, a lot of the suffragists did have
15 support of husbands and they did have children at
16 home. But, the support in their own relationships
17 allowed them to do this work.

18 But, I think with Alice and Lucy, in
19 particular, they had a singular focus to making sure
20 that this was going to happen. And, in order to do
21 that, they had to make that their main focus.

22 And so, they lived in -- there were five
23 different headquarters, the one 144 Constitution which
24 is now Belmont-Paul was the final headquarters. And,
25 they had five headquarters where they all lived, so

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1 they had dormitories.

2 Women would come from across the country
3 to learn how to lobby and how to picket. And, of
4 course, remember, in the 1930s or the 19-teens, there
5 wasn't an American Express card and you couldn't just
6 pick up, you know, your Southwest Rewards card and
7 head over to Washington, D.C.

8 And, a woman, especially alone, certainly
9 couldn't do that.

10 So, for her to have a community, a family
11 that was built into the National Woman's Party was a
12 big part of that. And, the other organizations were
13 very similar.

14 And, we see this in all types of
15 organizations certainly.

16 But, I think for them to move it forward
17 in that short amount of time after having peaks and
18 valleys and certainly languishing for 60-some odd
19 years, I think that it took that type of attitude to
20 push it forward no matter what to ensure that it was
21 done.

22 Now, interestingly, Lucy Burns left the
23 movement after the 19th Amendment was ratified and
24 went back to her family. And, Alice Paul did not.
25 She continued to stay. She lived in the house at 144

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1 Constitution until probably 1974 and then she passed
2 away in 1977.

3 So, still, today, we have women that would
4 come in and say, when I was a 19-year-old co-ed and I
5 was here in the '70s, I walked up those steps and
6 Alice Paul answered the door. That's phenomenal that
7 that was her only -- that was her -- the only thing in
8 her life that she wanted to do was work toward
9 equality for women.

10 Now, she wasn't -- she did not look at it
11 in an intersectional way that we, of course, would
12 look at it today. And so, there are issues that are a
13 little bit harder to resolve, but you do have to say,
14 the circumstances in her life gave her the ability to
15 stand there and do that work with many others.

16 But, to do that work, really, until she
17 passed away.

18 CHAIR LHAMON: I wonder if the two of you
19 could reflect also on, in particular, Ms. Harrington,
20 you described about the violent opposition to some of
21 the equality efforts.

22 And, they seem with the benefit of
23 hindsight, like pretty core equality components, you
24 know, that right vote or the right to be recognized as
25 a full person.

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1 When you included the quote about the
2 everlasting inferiority of women, obviously, that does
3 not strike a cord for me.

4 MS. HARRINGTON: Right, no.

5 CHAIR LHAMON: But, the notion of both
6 physically violent reaction as well as psychically
7 violent reaction to the efforts that these women led
8 and persisted through, I think is also a theme that
9 rides through what you've described in the case
10 discussions with Goss Graves of the specific people
11 that you identified.

12 And, the pre-litigation discussion that
13 begins with Recy Taylor and that's a history that's
14 hard to hear, and also hard to reflect on in this
15 moment, especially when we don't have an Equal Rights
16 Amendment still, and some of the core tenants that
17 garnered that violent opposition are tenants that we
18 have not yet achieved.

19 MS. GOSS GRAVES: And, it's interesting,
20 and I'm just sort of thinking about this right now,
21 you know, one of the reasons we may not know their
22 names is because, for some them, they sort or
23 retreated a bit after their experience.

24 And, they did expend -- they did
25 experience very serious threats against themselves,

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1 against their broader families for coming forward and
2 bringing these cases, for naming experiences of
3 harassment and violence and inequality that that came
4 at personal risk. But, that also came at family, and
5 in some cases, community risk.

6 MS. HARRINGTON: It is amazing to think
7 that something as simple as voting today or the
8 ability to vote today was so controversial for so many
9 years.

10 I appreciate Commissioner Heriot, the
11 remarks that you made about even prior to 1848,
12 because there were states and there were territories
13 that did allow women to vote.

14 It seems like sometimes equality ebbs and
15 flows. Sometimes we make progress and then, again, it
16 kind of swings back a little bit.

17 As far as the violence was concerned,
18 particularly in during World War I. So, the women
19 were very much expected to give up that campaign and
20 to retreat and to go back and work for the war effort.

21 And, many, many, many of them did.

22 But, again, the leaders of the NWP thought
23 that that would just set them back even further.

24 So, from the public's perspective, you
25 have Washington, D.C. outside of the White House. You

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1 have sailors and soldiers that are returning from or
2 on their way overseas to fight in World War I. And,
3 they're seeing these women stand there and picket with
4 banners that say things like Kaiser Wilson.

5 Now, the Kaiser Wilson banner did not
6 survive, shockingly. There are supposed to be a
7 couple of small fragments of it at the Smithsonian,
8 but it's not -- we're not sure.

9 But, a lot of the other ones did which
10 always amazes me that we have this collection of
11 almost a 1,000 textiles that survived because the
12 women were beaten, horribly beaten. And, that is not
13 -- that's while they were on the street, that's not
14 even what happened when they were jailed.

15 So, it really is astonishing. There are
16 women that talk in their firsthand accounts about
17 being forcibly fed. Their teeth were knocked out,
18 right? They're strapped down, they have these big
19 tubes shoved down their throat, irritating everything.

20 And then, the vomiting that just took place.

21 So, just the small snippets of what I've
22 shared with you are absolutely horrific. It is not
23 unlike plenty of other people in many different
24 circumstances when they're fighting for rights that
25 these same types of things have happened.

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1 So, it is a little bit shocking to think
2 about it that something as simple as being able to
3 vote.

4 I always try to make sure that I share
5 with people, this is a right that we have and it is
6 also a responsibility. So, to vote, to be civic
7 minded, to be civically engaged, to make sure that
8 you're educating yourself and voting, no matter what
9 you vote for, just make sure that you do engage and
10 you do vote.

11 CHAIR LHAMON: Thank you.

12 Commissioner Adegbile?

13 COMMISSIONER ADEGBILE: Yes, both of your
14 presentations were so full and rich of layers of
15 history that are important.

16 And so, I'm trying to synthesize some
17 lessons from the history that can help us think about
18 how we go forward.

19 And, I have two questions in mind. The
20 first is, that obviously laws and enforcement and
21 education and practices all come together in a range
22 of civil rights contexts to protect equality.

23 And, I'm wondering if you have used, from
24 the history, about how the relative contribution of
25 these pieces have advanced or stood as impediments to

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1 women's equality.

2 Why don't I pause with that one, because
3 there's a lot in there and then I'll come back with
4 the next one.

5 MS. GOSS GRAVES: Well, and, you know, one
6 thing that I think about is, I fully agree with you
7 that it's usually a mix of law and policy and culture
8 change.

9 And, that sometimes you have one out there
10 leading far ahead of the other and it takes a while
11 for the other to catch up.

12 And, I think we have seen that for sure in
13 the area around harassment and violence in particular
14 where there were some legal shifts, but the cultural
15 shift hadn't yet fully happened.

16 So, the *Vincent* case where the Supreme
17 Court said, yes, Title VII covers sexual harassment,
18 was 1986. But the EEOC didn't actually start to
19 receive significant levels of harassment charges until
20 after the national conversation following Anita Hill's
21 testimony in 1991.

22 So, you know, that period of time, it was
23 sort of on the books but not actually made very
24 meaningful.

25 And, the converse is sometimes true as

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1 well where you have a really rich cultural
2 conversation but not yet the legal framework or
3 administrative framework or even the institutional
4 changes that would make these cultural conversations
5 real and lasting.

6 And, the moment we are in right now is
7 extraordinarily cultural, right? There are
8 conversations happening at every level. And, there
9 are some policy changes that are happening.

10 You know, you had just last month, the
11 House, in a bipartisan way, finally fixed its sort of
12 extraordinary system that it had had in place for 20
13 years to deal with discrimination complaints against
14 the House of Representatives.

15 And, you know, there were all sorts of
16 barriers that were built in. Like, there was, you
17 know, a waiting period before you actually filed a
18 formal complaint or you had to get counseling and be
19 really, really sure you wanted to do it and mandatory
20 arbitration.

21 You know, all sorts of things that don't
22 happen in the private sector or you wouldn't say, yes,
23 you need to really think hard about filing that
24 complaint. You need a cooling off period. No one
25 would build that in today in the private sector.

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1 So, they have made changes in a bipartisan
2 way in the House to address that. That would not have
3 happened but for MeToo and there had been bills to fix
4 that for decades, so it wasn't as if there wasn't an
5 idea to fix it.

6 But, there is a lot of work to do to catch
7 up with the cultural period we're in.

8 MS. HARRINGTON: Absolutely. And, I will
9 add that, to loop back to when we were talking about
10 the Equal Rights Amendment, in the 1970s when there
11 was a lot of opposition for that, and ultimately, the
12 -- it was not ratified.

13 A couple of the main issues that women did
14 not support it, would there be no maternity leave?
15 Would girls have to register for the draft the same as
16 boys when they turned 18? Would we have unisex
17 bathrooms? Would women serve in the military? Would
18 they serve in forward zones?

19 Well, a lot of those things, if you just
20 think about, just those few things that I've just
21 named, within the last fifteen to twenty years, a lot
22 of those things have already sort of been culturally
23 decided.

24 We've talked through them, communities
25 wrangled with them, we make progress. And now, those

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1 things aren't nearly as upsetting as they would have
2 been in the '70s and especially in the early '80s as
3 well.

4 So, you're right, sometimes there's the
5 legal framework and then sometimes there's the
6 practical side. What does culture want? What does
7 the culture want? What can the community -- what type
8 of change can the community withstand and still
9 emerge?

10 So, a lot of things just have to work
11 themselves out. And, perhaps, that is maybe a silver
12 lining to why things take so long, because some of
13 those other questions just sort of naturally get taken
14 care of. We still have plenty of things to work out
15 as far as that is concerned, but some of the bigger
16 ones were -- are not necessarily such a big deal
17 today.

18 COMMISSIONER ADEGBILE: Great, thank you.

19 And, my last question is, I have two
20 teenaged daughters and I'm thinking about pieces of
21 this wonderful presentation that I can bring back to
22 them and, indeed, that we can be sharing more broadly
23 with people across the country.

24 And so, I would ask if both of you have a
25 couple of core lessons from the history of the

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1 struggle for women's equality that we should think
2 about as we take this fight forward?

3 Are there any distillations of the history
4 that are important to think about as we push forward
5 to get to the next place in terms of women's equality
6 in the country?

7 And, hard question, but I'm open to any
8 thoughts you may have.

9 MS. HARRINGTON: Well, I would say
10 certainly for teenaged boys and girls, it's important
11 for them to understand that history did not just
12 unfold out of the pages of the textbook. These were
13 actually real people that were grappling with real
14 different and real difficult situations.

15 And, each person who played a role in that
16 had a choice to make of what side of history they were
17 on. And, ultimately, it comes down to knowing
18 yourself, knowing what you find valuable and then
19 making sure that you're educated about that and moving
20 forward to make sure that those rights or those -- or
21 the inequality is worked forward so that you're not
22 leaving others behind.

23 But, I think, to let them know that it's
24 real people just like them who are making these
25 decisions is very important.

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1 And then, second, I would say is to get
2 engaged. And, you know, I'm terrible with names and
3 I'm terrible with dates, so I became a historian.

4 (LAUGHTER)

5 MS. HARRINGTON: But, it's not all about
6 dates and names, it really is about what those stories
7 make you feel, how you make that connection.

8 So, historic sites are absolutely amazing
9 as are museums. And, I would say, you know, just
10 taking the time to go explore those resources that you
11 have in your own community, that also helps broaden
12 your thoughts and will lead you to being more true to
13 yourself and more true to what you actually believe in
14 and want to work for.

15 MS. GOSS GRAVES: That's a very good
16 lesson.

17 And, I will echo one thing that you said,
18 it's that individuals really matter and I think about,
19 in the moment we're in, how powerful for each silent
20 breaker to tell their story and realize, all of a
21 sudden, you're not an individual, you're in a full
22 community.

23 And then, the second thing is a lesson
24 that we are still learning in the women's movement,
25 and that is -- but our true equality really requires

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1 it to be for all women.

2 And, that, you know, there has been
3 beautiful fits and starts over that real question over
4 time. Do you take an inch if that means cording off,
5 you know, one population or another?

6 And, I think that the lesson around caring
7 and pushing for full equality for all women is one
8 that we should be, not just remembering, but
9 implementing going forward.

10 CHAIR LHAMON: Thank you both.

11 I want to make sure that our Commissioners
12 on the phone have a chance to ask questions if they
13 have any.

14 Commissioner Heriot, you have --

15 COMMISSIONER HERIOT: Do we have time for
16 another one from me?

17 CHAIR LHAMON: We do, but it sounded like
18 there was on the phone, too.

19 COMMISSIONER YAKI: Yes, hi. I want to
20 thank the speakers very much for their presentation
21 today.

22 I really don't have any questions other
23 than to just note that everything that happens is
24 related to everything else.

25 And, the courage and the deadlock upon

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1 which we stand today is, in part, because of the work
2 of these early pioneers.

3 But, I just wanted to note that one of the
4 pioneers in the '80s and '90s and up until today,
5 Representative Louise Slaughter just passed away. She
6 was the author of the Violence Against Women Act which
7 had dramatic impact on raising the issue and reducing
8 domestic violence in our country.

9 And, she was a friend of mine and a true
10 champion and someone who proudly stood in the shoes of
11 those who came before her.

12 CHAIR LHAMON: And, she was until today,
13 the longest serving member of Congress.

14 Commissioner Heriot?

15 COMMISSIONER HERIOT: I wanted to go back
16 to what Ms. Harrington was saying about the Seneca
17 Falls conference.

18 And, you know, you're right, this is -- we
19 trace the history of women's movement back to that
20 point because it was a single event.

21 But, there were also things that were
22 going on just before that and that included the Seneca
23 Falls conference. And, it connects up to our
24 Commission.

25 We are the Commission on Civil Rights.

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1 But, civil rights meant something different in those
2 days. They had a definition that basically was, civil
3 rights on the one hand and political rights on the
4 other.

5 And so, when Elizabeth Cady Stanton was
6 talking about, yes, we should, you know, argue for
7 voting rights.

8 At first, Lucretia Mott said, I think I'm
9 quoting here, you know, oh, Lizzy, you know, you'll
10 make us look foolish.

11 But, they were more focused on civil
12 rights. And, to them, that meant the right to own
13 property and the right to be sued and they were
14 focused not on all women, but on married women
15 because, under common law at the time, single women
16 and widows already had those rights, but married women
17 did not.

18 And, in particular, the right to be sued
19 doesn't sound like a great idea, it sounds like, you
20 know, oh, who wants that? But, when you think about
21 it, no one will lend you money if you cannot be sued
22 to get that money back.

23 So, that meant that married women couldn't
24 operate farms, they couldn't operate their own
25 businesses. And, we were living in a frontier society

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1 where, you know, we think of divorce as all too common
2 today, it's sad. But, desertion was a big problem
3 then.

4 You know, men would just pick up and move
5 west and their wives would be left back in the east
6 with no means of support unless they could borrow
7 money. And so, that hugely important.

8 The New York Married Women's Act was in
9 1848, I believe, you're nodding yes, so it sounds like
10 I have -- you're right.

11 And so, that was a huge movement and one
12 that doesn't get enough attention today.

13 MS. HARRINGTON: Right, it is important to
14 remember how different the world was at that time.
15 And, it's just the vote, it seems very simple, at that
16 time, if a person died, if a man died and he left his
17 estate to -- he couldn't leave his estate to his
18 daughter, she could not inherit, there was no land
19 ownership.

20 COMMISSIONER HERIOT: Oh no, she could,
21 she could, she could, she could, she could.

22 MS. HARRINGTON: But, if she was married -
23 -

24 COMMISSIONER HERIOT: If she's married,
25 then it's her husband's.

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1 MS. HARRINGTON: It's her husband's,
2 exactly. And, if he deserts her and takes everything,
3 that's okay because it was his, not hers, when it was
4 really hers.

5 So, those types of very simple connections
6 with family and what was legal is incredibly different
7 to think about today.

8 And, I think maybe that is part of what we
9 all need to think about, which is, any time multiple
10 decades goes by and you're working for progress,
11 you're impacted by the newness of each of the new
12 decades.

13 And, what we should be doing is thinking,
14 we are much more wise today. I am much more wise
15 today than I was 1ten years ago, than I was twenty
16 years ago, et cetera.

17 I should be using that viewpoint then to
18 view the world in a more complete way, most
19 definitely. And, part of it is just to say, history
20 is still -- we are still thinking differently and
21 learning things about history, but even so, these are
22 similar issues that we have today.

23 And, everyone should think about it moving
24 forward as well. So, not just what it was, what we
25 didn't have, but what we are today and what we still

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1 need to get. I think it's that longer time frame or
2 view that I think is incredibly important.

3 CHAIR LHAMON: Lovely.

4 With that, I will thank both of you for
5 taking your time and sharing your expertise with us
6 today.

7 We are -- we do have some more items to
8 complete for our business today, but let's take a five
9 minute break so we can take a moment to have a
10 photograph with our panelists if they will before they
11 leave us.

12 And then, we'll come back in five minutes
13 to complete our business meeting.

14 (Whereupon, the above-entitled matter went
15 off the record at 12:05 p.m.)

16 CHAIR LHAMON: Okay, I'm going to return
17 us to our record. We will next return to our agenda
18 items. And next in it is to consider a statement
19 about the White House's budget request for Fiscal Year
20 '19.

21 **C. STATEMENT ABOUT THE WHITE HOUSE'S BUDGET**

22 **REQUEST FOR FISCAL YEAR '19**

23 CHAIR LHAMON: I'm going to start us, even
24 though Commissioner Adegbile hasn't yet returned. He
25 is recused from this statement.

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1 I'll first read the statement that we will
2 consider, and that is" "The Members of the U.S.
3 Commission on civil Rights are dismayed that the
4 administrations proposed budget for Fiscal Year 2019
5 again drastically cuts civil rights enforcement across
6 key federal agencies.

7 The Commission urges Congress instead to
8 prioritize federal civil rights enforcement resources.

9 Available data reflects growing need for federal
10 enforcement of civil rights.

11 Yet the White House not only fails to seek
12 increases in funding for its Agency civil rights
13 enforcement work, it instead proposes dramatic cuts in
14 funding and personnel and to reduce the federal role,
15 even in serving as the critical backstop against harm
16 to vulnerable Americans.

17 For example, the Department of Education
18 touts limiting the federal role in education as a
19 highlight of its budget proposal.

20 Despite reports of an increase of racial
21 harassment and hate crimes, the administration
22 proposes to eliminate 27 additional positions in the
23 Department of Justice's civil rights division, 23
24 investigative positions in the Department of
25 Education's Office for Civil Rights, and 75 positions

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1 in the Office of Federal Contract Compliance Programs
2 in the Department of Labor.

3 The Administration's budget request
4 proposes to slash the budget of the Office for Civil
5 Rights at the Department of Health and Human Services
6 by 20 percent -- \$8 million below its budget for the
7 last two years.

8 None of the White Houses proposed budget
9 increases is directed at increasing civil rights
10 enforcement. Even where Congress reject the
11 Administrations proposed cuts to civil rights
12 enforcement last year and provided for an increase in
13 such funding, the white house now seeks \$1.1 million
14 less funding, even when Congress appropriated
15 specifically for that purpose in the current fiscal
16 year.

17 Likewise, the Department of Health and
18 Human Services projects an increase in civil rights
19 complaint receipts in the coming year.

20 But the Administration proposes not only
21 significantly decreasing its budget, but also
22 compounding its workload through creation of its new
23 conscious and Religious Freedom Division, within out
24 addressing how this divisions budget and staffing will
25 impact the Office for Civil Rights ability to carry

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1 out the other critical portions of its mandate.

2 The White House budget also proposes to
3 zero out the budget of the Department of Justice's
4 Community Relations Service and transfer its functions
5 to the civil rights division. That transfer would
6 further reduce the functional budget of the Civil
7 Rights Division.

8 Which then Administration already proposes
9 to cut by 27 people. By adding to its workload
10 without funding that work.

11 A further concern, CRS provides critical
12 services as the budget, its request, itself
13 acknowledges, to assist communities with preventing
14 and resolving tensions and violence related to
15 discrimination. Including violent hate crimes
16 committed 'on the basis of actual or perceived race,
17 color, national origin, gender, gender identity,
18 sexual orientation, religion or disability.'

19 An essential function of CRS is to act as
20 a mediating presence in communities experiencing
21 conflict, combining its functions with the civil
22 rights divisions which investigates and prosecutes
23 offenders of civil rights laws, could harm the
24 effective function of CRS.

25 In addition, the Administration's budget

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1 request proposes to cut nearly \$3 million from the
2 Department of Housing and Urban Development's Fair
3 Housing initiatives, programs, education and outreach
4 initiative.

5 This program is part of HUD's efforts to
6 provide fair housing enforcement and education across
7 the country, funds critical efforts to inform the
8 public on the rights, responsibilities, remedies and
9 resources available under the Fair Housing Act. The
10 dollars lost in this program, nearly a third of what
11 was allocated the last two years, could have a
12 devastating impact.

13 Recent news reports that the Department is
14 considering removing the language in its mission
15 statement that HUD is "to build inclusive and
16 sustainable communities free from discrimination"
17 compound the commissions concern regarding reducing
18 funding specific to fair housing.

19 Secretary Carson promises that HUD will
20 continue its legal and rightful role in protecting
21 Americans from housing discrimination whether or not
22 the mission statement includes that commitment.
23 However, removing the formal commitment to
24 nondiscrimination, while also proposing to reduce
25 funds, signals a retreat from the equity mission of

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1 the agency harming communities around the country, who
2 depend on HUD, to ensure they are not subject to
3 discriminatory and unequal access to housing.

4 These proposed cuts and failure to
5 prioritize civil rights enforcement reflect a
6 dangerous departure from the federal role in
7 protecting core rights to which this nation has
8 committed and re-committed itself over the past 60
9 years.

10 Last June, the Commission unanimously
11 approved a comprehensive two year assessment of
12 federal rights enforcement, which will conclude in
13 Fiscal Year 2019.

14 The ongoing review examines the degree to
15 which current budgets and staffing levels allow civil
16 rights offices to perform their statutory and
17 regulatory functions, the management practices in
18 place in the offices and whether these practices are
19 sufficient to meet the volume of civil rights issues
20 within the office's jurisdiction, and the efficacy of
21 recent civil rights enforcement efforts from the
22 offices that our assessment is ongoing and our final
23 report will not issue until the close of Fiscal year
24 2019.

25 The Administrations second budget proposal

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1 is, as its first one was, deeply alarming. Chair
2 Catherine E. Lhamon states, 'the Commission urges
3 Congress to reject this Administration's retreat on
4 civil rights and instead to appropriate funds at the
5 level necessary to ensure effective enforcement of
6 federal civil rights so that we might all live the
7 promise of the justice and equality for all. Congress,
8 and this Administration, if it were appropriately
9 focused on fair representation of all Americans, could
10 balance all American interests to ensure equity and
11 fairness through the budget. We can now discuss the
12 statement.

13 To open the floor for discussion, I move
14 that we approve the statement. Is there a second?

15 VICE CHAIR TIMMONS-GOODSON: I'll second.

16 CHAIR LHAMON: Thank you. Any discussion
17 on this statement?

18 VICE CHAIR TIMMONS-GOODSON: Yes, Madam
19 Chair, I would wonder, I mean, I wonder if you would
20 consider, in the title, I would propose that the U.S.
21 Commission on civil rights urges Congress to
22 prioritize civil rights in the Fiscal Year 2019
23 budget. As opposed to what's currently written.

24 CHAIRMAN LHAMON: I accept that proposal.
25 Thank you. I think it's an improvement over what I

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1 had.

2 Any other discussion on this statement?

3 Okay. Oh, Commissioner Heriot.

4 COMMISSIONER HERIOT: Thank you. I just
5 want to say that I intend to vote no on this motion.
6 For example, the Department of Education, it states
7 that the Department of Education touts limiting the
8 federal role on education as a highlight of its budget
9 proposal.

10 I support that and I think that a lot of
11 Americans do. I note that these civil rights
12 divisions budget has in fact been modestly, the
13 proposal is to modestly increase it, although it does
14 bring in issues that weren't previously before the
15 civil rights division.

16 And so I could go on here but I have a
17 feeling I'm going to lose this vote too so why don't
18 we just get on with it.

19 (Laughter)

20 CHAIR LHAMON: Okay. Thank you. Any
21 other discussion?

22 COMMISSIONER KIRSANOW: Kirsanow.

23 CHAIRMAN LHAMON: Commissioner Kirsanow.

24 COMMISSIONER KIRSANOW: Thanks very much.

25 Just would note that expenditures of funds doesn't

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1 necessarily equate to efficacy.

2 The amount of funds apparently expended on
3 "civil rights enforcement under the Obama
4 Administration went up significantly, admittedly."
5 But there are a number of studies, including by
6 Indiana University of Law School, that showed that
7 despite that fact, the number of enforcement actions
8 taken by the Obama Justice Department, in areas such
9 as education, housing and employment, were down. And
10 in some cases, significantly down, from a similar
11 period under the Bush Administration.

12 So I think money is nice but money isn't
13 the be all and end all. And I would also note my
14 perplex, being perplexed that only 75 positions are
15 being eliminated from the Office of Federal Contract
16 Compliance Programs.

17 CHAIR LHAMON: Meaning you would have
18 expected more to be eliminated? Commissioner
19 Kirsanow, did we lose you?

20 COMMISSIONER KIRSANOW: I'm sorry, I
21 didn't hear that?

22 CHAIRMAN LHAMON: So I was asking, did you
23 expect that there would be more eliminated or I didn't
24 understand what you were perplexed about I guess.

25 COMMISSIONER KIRSANOW: Yes.

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1 CHAIR LHAMON: I see. Thank you. I will
2 say I share your view, that the budget is far from
3 tell, the whole story, and that it's important to
4 examine how the budget, how the dollars are used and
5 how effectively the dollars are used.

6 And that there are good questions to be
7 asked about whether more dollars are spent wisely and
8 whether less dollars can be spent efficiently. So I
9 wholeheartedly share that view and think that is worth
10 examining, and I look forward to our ongoing
11 examination of that, over the next year.

12 And I think that it is hard to imagine
13 doing civil rights work effectively, in these
14 agencies, with the cuts that are being proposed. And
15 so I think it's also important to say the concern
16 about budgets that are more sufficient than this
17 proposal allows.

18 If there is no further discussion I'll
19 call a roll call vote. My understanding, Commissioner
20 Adegbile, is that you are recused, is that correct?

21 COMMISSIONER ADEGBILE: Correct.

22 CHAIR LHAMON: Okay. Commissioner Heriot,
23 how do you vote?

24 COMMISSIONER HERIOT: I vote no.

25 CHAIR LHAMON: Commissioner Kirsanow?

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1 COMMISSIONER KIRSANOW: No.

2 CHAIR LHAMON: Commissioner Yaki?

3 COMMISSIONER YAKI: See, this is a
4 problem. You have two no's right in front of me so of
5 course that confuses me. Yes.

6 CHAIR LHAMON: As contrary as you, I think
7 it would give you clear direction, Commissioner Yaki.

8 (Laughter)

9 CHAIR LHAMON: Thank you. Vice Chair
10 Timmons-Goodson?

11 VICE CHAIR TIMMONS-GOODSON: Yes.

12 CHAIR LHAMON: And I'll vote yes. The
13 motion passes. Two Commissioners voted no, one
14 Commissioner is recused and all others were in favor.

15 COMMISSIONER YAKI: And I think
16 Commissioner Kirsanow was using a mind meld on me on
17 the other vote.

18 CHAIR LHAMON: Definitely. I'm certain
19 that's what it was. Commissioner Yaki, I think we
20 have --

21 COMMISSIONER YAKI: Yes.

22 CHAIR LHAMON: -- a statement from you to
23 look at next.

24 COMMISSIONER YAKI: Yes. Actually, I'd
25 say letter, that should build upon the statement that

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1 we issued earlier.

2 This is regarding immigration enforcement
3 actions in court houses. It's a letter from the
4 Commission to Thomas Homan, the deputy director and
5 senior official performing the duties for the director
6 of ICE.

7 D. LETTER FROM COMMISSION TO THOMAS HOMAN
8 REGARDING IMMIGRATION ENFORCEMENT ACTIONS
9 IN COURT HOUSES

10 COMMISSIONER YAKI: "Dear deputy director
11 Homan, the undersigned numbers of the United States
12 Commission on Civil Rights, writes to express our
13 continuing concern with U.S. Immigration and Customs
14 Protection enforcement policy allowing immigration
15 enforcement actions inside court houses and its
16 dangerous consequences that undermine our judicial
17 system.

18 The Commission previously issued a
19 majority approved statement raising concern that
20 conducting immigration enforcement actions inside
21 courthouses instill needless additional fear of
22 anxiety within immigrant communities, discourages
23 interacting with the judicial system and endangers the
24 safety of entire communities. We've attached our
25 statement to your consideration.

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1 ICEs recent guidance on when and how we'll
2 conduct civil immigration enforcement actions in
3 courthouses, is a step in the right direction but
4 falls short of ensuring the fair administration of
5 justice and the safety of communities.

6 Specifically, ICE's policy does not
7 consider courthouses sensitive locations, such as it
8 has for schools, hospital or places of worship where
9 ICE will conduct immigration enforcement actions in
10 limited circumstances, such as exigent circumstances,
11 but will generally be avoided.

12 The failure to contract courthouses in
13 sensitive places is perplexing, but ICE's sensitive
14 location policy is meant to enhance the public
15 understanding the trust and to ensure that the people
16 seeking to participate in activities or to utilize
17 services provided at any sensitive location are free
18 to do so, without fear or hesitation.

19 The failure to exclude courthouses from
20 ICE's enforcement action achieves exactly the opposite
21 effect and prevents victims of violent crime, domestic
22 abuse and work exploitation from seeking justice. The
23 policy unnecessarily increases the disruptive presence
24 of ICE's agents in courthouses, instilling fear of
25 mistrust of our injustice system among immigrant

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1 invulnerable communities when such enforcement actions
2 could be conducted elsewhere with less harmful impact.

3 Moreover, immigrants such as family
4 members friends accompanying the targeted immigrant
5 community may still be arrested on a case-by-case
6 basis. Finally, the policy does not apply only to
7 criminal immigration enforcement actions and does not
8 further distinguished which immigrants will be
9 targeted for criminal enforcement actions.

10 As an independent bipartisan federal
11 agency charged with advising the President and
12 Congress on civil rights matters and the
13 administration of justice, the Commission strongly
14 urges ICE to reconsider its guidance on courthouse
15 arrest and classified courthouses at sensitive
16 locations. Thank you for your consideration, we look
17 forward to your responses, hugs and kisses, the
18 Commission."

19 (Laughter)

20 CHAIR LHAMON: The hugs and kisses were of
21 course hyperbole but --

22 (Laughter)

23 CHAIR LHAMON: So do we have a motion so
24 we can open the floor for discussion?

25 VICE CHAIR TIMMONS-GOODSON: So moved.

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1 CHAIR LHAMON: And do we have a second?
2 I'll second it. Do we have any discussion on this
3 letter? Hearing none --

4 COMMISSIONER KIRSANOW: Kirsanow here.

5 CHAIR LHAMON: Oh, Commissioner Kirsanow.

6 COMMISSIONER KIRSANOW: Yes. Boy, I'm
7 almost inclined to sign on just based on the fact I'd
8 like to sign on to something that ends with hugs and
9 kisses.

10 (Laughter)

11 COMMISSIONER KIRSANOW: But, aside from
12 that, just three observations. First, I just note
13 that absent from the letters, any evidence of any
14 action taken by ICE that falls within our
15 jurisdiction.

16 There is no evidence, at least educed in
17 this letter, or shown to have been educed in this
18 letter by the Commission that the ICE's courthouse
19 enforcement efforts discriminate or deny equal
20 protection on the basis of race, color, sex or any
21 other protected class.

22 And also, as we do with other letters,
23 several of us have made the point that it might be
24 advisable to defer to the expertise of the relevant
25 agency. In this case, the experience and expertise of

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1 ICE and what constitutes a "sensitive location for
2 purposes of effective immigration enforcement."

3 And also, courthouses are not considered
4 sensitive locations insulating American citizens or
5 lawful residents from arrest if they're otherwise in
6 violation of the law when they entered a courthouse.
7 So we're treating, here in this letter, illegal
8 immigrants in a more elevated or protective status
9 then that enjoyed by American citizens when it comes
10 to inflation from courthouse arrest.

11 CHAIR LHAMON: Thank you, Commissioner
12 Kirsanow. We do of course have jurisdiction over
13 administration of justice and the access to
14 courthouses is core within our jurisdiction. I don't
15 know if others have other questions about the
16 responses. Okay.

17 I'll call the question, take a roll call
18 vote. Commissioner Adegbile, how do you vote?

19 COMMISSIONER ADEGBILE: Aye.

20 CHAIR LHAMON: Commissioner Heriot?

21 COMMISSIONER HERIOT: I vote no.

22 CHAIR LHAMON: Commissioner Kirsanow?

23 COMMISSIONER KIRSANOW: No.

24 CHAIR LHAMON: Commissioner Yaki?

25 COMMISSIONER YAKI: I with hugs.

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1 CHAIR LHAMON: Vice Chair Timmons-Goodson?

2 VICE CHAIR TIMMONS-GOODSON: Yes.

3 CHAIR LHAMON: And I vote yes with hugs as
4 well.

5 (Laughter)

6 CHAIR LHAMON: The vote, the motion
7 passes. Two Commissioners voted no, no Commissioner
8 abstained and all those were in favor.

9 COMMISSIONER YAKI: But there is not a
10 majority in favor of hugs which I'm very disheartened
11 to see.

12 COMMISSIONER HERIOT: I bet you could get
13 the majority on hugs and kisses, it's the letter
14 that's the problem.

15 (Laughter)

16 CHAIR LHAMON: We'll have to add that to
17 our next agenda, since that's not an agenda item. But
18 I'm sure we would be unanimously in favor of
19 expressing love.

20 Next, we're turning to management and
21 operations.

22 **E. MANAGEMENT AND OPERATIONS**

23 CHAIR LHAMON: We'll hear from the Staff
24 Director Mauro Morales, for our monthly staff
25 director's report.

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1 MR. MORALES: Thank you, Madam Chair. In
2 the interest of time I thank you, and of course in the
3 interest of time I have nothing further to add beyond
4 what is already contained in the report.

5 I'm always available to discuss any matter
6 with a Commissioner and if they see anything in the
7 report they would like to get more information on.

8 However, I would like to take a moment to
9 recognize the service of our spring interims. Two of
10 which are still seated here in our audience. One of
11 them just stepped out.

12 Shimang Zhang, she is a law clerk to the
13 special assistants and currently supervised by
14 Commissioner Kladney, who should have additional
15 interns coming in over the summer.

16 We also have Krista Painter. Please stand
17 up, shake to say hello and waive. She's at the
18 University of Texas and she's currently with OCRE
19 [Office of Civil Rights Evaluation].

20 And we also have Elizabeth Boyle. She's
21 an undergrad at the University of Notre Dame. Please
22 stand up.

23 Thank you, ladies, so much, for coming and
24 for helping in providing the research that you've
25 done. It's extraordinarily important to what we do

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1 here and we thank you.

2 And we hope your learning and have, when
3 you go back to your institutions you'll have some
4 additional knowledge that will help you in your
5 career, so thank you very much.

6 CHAIR LHAMON: Thank you.

7 MR. MORALES: We also have two that are
8 not here. Laura Gevarter, she's with OCRE. And we
9 have, I know I'm going to mispronounce this name, but
10 we have Qiuxu Li. She's with the Office of General
11 Council.

12 And Ms. Zhang has just joined us. Just
13 waive at the Commissioners. Again, thank you. We
14 expect to have an additional number of interns this
15 summer and we'll recognize them as they come in.

16 But all of you, thank you so much. And
17 the fact that you're all women during Women's History
18 Month is amazing, so thank you for coming and
19 participating and learning about civil rights and
20 being, hopefully someday, practice wherever your
21 careers take you and you'll always recognize the
22 importance of civil rights. So thank you very much.

23 And with that, Madam Chair, I have nothing
24 further.

25 CHAIR LHAMON: Thank you, Mr. Staff

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1 Director. I also do want to add my thanks to our
2 staff for their insistence in setting up today's
3 presentations and making this meeting, as all
4 meetings, run as smoothly as possible. Very, very
5 grateful for it, so thank you.

6 And with that, I adjourn our meeting at
7 12:29 Eastern Time. Thank you all.

8 III. ADJOURN MEETING

9 (Whereupon, the above-entitled matter went
10 off the record at 12:29 p.m.)
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